

**KELLEY DRYE & WARREN LLP**

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

1200 19TH STREET, N.W.

SUITE 500

WASHINGTON, D. C. 20036

(202) 955-9600

FACSIMILE

(202) 955-9792

WRITER'S DIRECT LINE

(202) 955-9888

NEW YORK, N.Y.  
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June 10, 1997

910716 TI

DEPOSIT

DATE

D544

JUN 12 1997

**VIA OVERNIGHT COURIER**

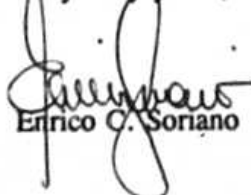
Ms. Blanca S. Bayo  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2550 Shumard Oak Boulevard  
Tallahassee, Florida 32399

**Re: Application of Golden Harbor of Florida, Inc., d/b/a Hometown Telephone, Inc., for Authority to Provide Resold Intrastate Interechange Services**

Dear Ms. Bayo:

Enclosed herewith for filing with the Florida Public Service Commission are the original and fifteen (15) copies of Golden Harbor of Florida, Inc.'s (d/b/a Hometown Telephone, Inc.) application for authority to provide resold intrastate interexchange services. Also enclosed is the required filing fee of \$250.00. Kindly date-stamp the duplicate copy of this filing and return to the undersigned in the enclosed self-addressed, stamped envelope.

Very truly yours,

  
Enrico C. Soriano

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit.

Initials of person who forwarded check:  
A.J.

encl.

DOCUMENT NUMBER-DATE

05966 JUN 12 97

FPSC-RECORDS/REPORTING

**\*\* FLORIDA PUBLIC SERVICE COMMISSION \***

**DIVISION OF COMMUNICATIONS**  
**BUREAU OF SERVICE EVALUATION**  
101 E. Gaines Street  
Fletcher Building  
Tallahassee, Florida 32399-0866

**APPLICATION FORM**  
**for**  
**AUTHORITY TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE**  
**WITHIN THE STATE OF FLORIDA**

---

**Instructions**

- A. This form is used for an original application for a certificate and for approval of sale, assignment or transfer of an existing certificate. In case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Appendix A). NOT APPLICABLE.
- B. Respond to each item requested in the application and appendices. If an item is not applicable, please explain why.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. If you have questions about completing the form, contact:

Florida Public Service Commission  
Division of Communications  
Bureau of Service Evaluation  
101 East Gaines Street  
Tallahassee, Florida 32399-0866  
(904) 488-1280

- E. Once completed, submit the original and twelve (12) copies of this form along with a non-refundable application fee of \$250.00 to:

Florida Public Service Commission  
Division of Administration, Room G-50  
101 East Gaines Street  
Tallahassee, Florida 32399-0850  
(904) 488-4735

1. This is an application for (check one):

- Original Authority (New company).
- Approval of Transfer (To another certificated company).
- Approval of Assignment of existing certificate (To a noncertificated company).
- Approval for transfer of control (To another certificated company).

2. Select what type of business your company will be conducting (check all that apply):

- Facilities based carrier - company owns and operates or plans to own and operate telecommunications switches and transmission facilities in Florida.
- Operator Service Provider - company provides or plans to provide alternative operator services for IXCs; or toll operator services to call aggregator locations; or clearinghouse services to bill such calls.
- Reseller - company has or plans to have one or more switches but primarily leases the transmission facilities of other carriers. Bills its own customer base for services used.
- Switchless rebiller - company has no switch or transmission facilities but may have a billing computer. Aggregates traffic to obtain bulk discounts from underlying carrier. Rebills end users at a rate above its discount but generally below the rate end users would pay for unaggregated traffic.
- Multi-Location Discount Aggregator - company contracts with unaffiliated entities to obtain bulk/volume discounts under multi-location discount plans from certain underlying carriers. Then offers the resold service by enrolling unaffiliated customers.

3. Name of corporation, partnership, cooperative, joint venture or sole proprietorship:  
Golden Harbor of Florida, Inc.
4. Name under which the applicant will do business (fictitious name, etc.):  
Hometown Telephone, Inc.
5. National address (including street name & number, post office box, city, state and zip code):  
401 Carlson Circle  
San Marcos, TX 78666
6. Florida address (including street name & number, post office box, city, state and zip code):  
Applicant does not yet have an office in Florida.
7. Structure of organization;
- |   |  |
|---|--|
| <input type="checkbox"/> Individual                     | <input type="checkbox"/> Corporation         |
| <input checked="" type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership            | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Other, _____                   |  |
8. If applicant is an individual or partnership, please give name, title and address of sole proprietor or partners. Not applicable.
- (a) Provide proof of compliance with the foreign limited partnership statute (Chapter 620.169 FS), if applicable.
- (b) Indicate if the individual or any of the partners have previously been:
- (1) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings.
- (2) officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

9. If incorporated, please give:

- (a) Proof from the Florida Secretary of State that the applicant has authority to operate in Florida. Please see Attachment A.

Corporate charter number: 01444204

- (b) Name and address of the company's Florida registered agent. CT Corporation Systems  
1200 South Pine Island Rd.  
Plantation, FL 33324
- (c) Provide proof of compliance with the fictitious name statute (Chapter 865.09 FS), if applicable.

Fictitious name registration number: See Attachment A

- (c) Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

Please see Attachment B

- (1) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings.
- (2) officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

10. Who will serve as liaison with the Commission in regard to (please give name, title, address and telephone number):

- (a) The application; Enrico C. Soriano  
Kelley, Drye & Warren, LLP  
1200 19th Street, N.W. Suite 500  
Washington, DC 20036  
(202)955-9866 FAX: (202)955-9792
- (b) Official Point of Contact for the ongoing operations of the company;  
Martha Smiley  
Golden Harbor of Florida, Inc.  
401 Carlson Circle  
San Marcos, FL 78666  
(512)392-6284 FAX: (512)392-6276

14. Will your marketing program:
- Pay commissions? Not contemplated at this time.
  - Offer sales franchises? No.
  - Offer multi-level sales incentives? No.
  - Offer other sales incentives? Only to the Applicant's internal sales representatives. The amount is dependent upon margins anticipated after completion of interconn. agr.
15. Explain any of the offers checked in question 14 (To whom, what amount, type of franchise, etc.).  
See answer to No. 14 above.

16. Who will receive the bills for your service (Check all that apply)?

- Residential customers.  Business customers.
- PATS providers.  PATS station end-users.
- Hotels & motels.  Hotel & motel guests.
- Universities.  Univ. dormitory residents.
- Other: (specify) \_\_\_\_\_

Applicant anticipates that it will provide bills to all of the above over time.

17. Please provide the following (if applicable):

(a) Will the name of your company appear on the bill for your services, and if not who will the billed party contact to ask questions about the bill (provide name and phone number) and how is this information provided?  
The Applicant's name, as well as its toll-free customer service number, will appear on the consumer bill.

- (b) Name and address of the firm who will bill for your service.

The Applicant will bill its customers directly.

18. Please submit the proposed tariff under which the company plans to begin operation. Use the format required by Commission Rule 25-24.485 (example enclosed).

Please see Attachment C.

19. The applicant will provide the following interexchange carrier services (Check all that apply):

MTS with distance sensitive per minute rates  
 Method of access is FGA  
 Method of access is FGB  
 Method of access is FGD  
 Method of access is 800

MTS with route specific rates per minute  
 Method of access is FGA  
 Method of access is FGB  
 Method of access is FGD  
 Method of access is 800

MTS with statewide flat rates per minute (i.e. not distance sensitive)  
 Method of access is FGA  
 Method of access is FGB  
 Method of access is FGD  
 Method of access is 800

Still being evaluated. In the event the Applicant decides to provide this service, access will be provided through FGD and company facilities.

MTS for pay telephone service providers

Block-of-time calling plan (Reach out Florida, Ring America, etc.).

Still being evaluated.

800 Service (Toll free)

WATS type service (Bulk or volume discount)  
 Method of access is via dedicated facilities  
 Method of access is via switched facilities

Private Line services (Channel Services)  
(For ex. 1.544 mbs., DS-3, etc.)

Travel Service  
 Method of access is 950  
 Method of access is 800  
Applicant will also provide line-based calling card service.  
 900 service



- Operator Services
- Available to presubscribed customers
- Available to non presubscribed customers (for example to patrons of hotels, students in universities, patients in hospitals.
- Available to inmates

Services included are:

- Station assistance
- Person to Person assistance
- Directory assistance
- Operator verify and interrupt
- Conference Calling

20. What does the end user dial for each of the interexchange carrier services that were checked in services included (above).

No special dialing patterns apply.

21.  Other:

ATTACHMENTS:

- A - CERTIFICATE TRANSFER STATEMENT
- B - CUSTOMER DEPOSITS AND ADVANCE PAYMENTS
- C - INTRASTATE NETWORK  
APPLICANT ACKNOWLEDGEMENT STATEMENT
- D - FLORIDA TELEPHONE EXCHANGES and EAS ROUTES
- E - GLOSSARY



**\*\* APPENDIX A \*\***

***NOT APPLICABLE***

**\*\* APPENDIX B \*\***

**CUSTOMER DEPOSITS AND ADVANCE PAYMENTS**

A statement of how the Commission can be assured of the security of the customer's deposits and advance payments may be responded to in one of the following ways (applicant please check one):

(✓)

The applicant will not collect deposits nor will it collect payments for service more than one month in advance.

( )

The applicant will file with the Commission and maintain a surety bond in an amount equal to the current balance of deposits and advance payments in excess of one month. (Bond must accompany application.)

**UTILITY OFFICIAL:**

Harold E. Lovelady  
Signature

5-22-97  
Date

Harold E. Lovelady  
President  
Title

(512) 392-6225  
Telephone No.

**\*\* APPENDIX C \*\***

**INTRASTATE NETWORK**

1. **POP:** Addresses where located, and indicate if owned or leased.

1) 2)

SEE ATTACHED ADDRESS LIST

3) 4)

2. **SWITCHES:** Address where located, by type of switch, and indicate if owned or leased.

1) Atlanta Switch Bank South Bldg. 55 Marietta St. #1950 Atlanta, GA 30303	2) Florida Switch To be installed Leased
---	--

3) 4)

3. **TRANSMISSION FACILITIES:** Pop-to-Pop facilities by type of facilities (microwave, fiber, copper, satellite, etc.) and indicate if owned or leased.

1) <u>POP-to-POP</u>	<u>TYPE</u>	<u>OWNERSHIP</u>
----------------------	-------------	------------------

2) SEE ATTACHED NETWORK MAP

4. **ORIGINATING SERVICE:** Please provide the list of exchanges where you are proposing to provide originating service within thirty (30) days after the effective date of the certificate (Appendix D).

All equal access offices in BellSouth.

5. **TRAFFIC RESTRICTIONS:** Please explain how the applicant will comply with the EAEA requirements contained in Commission Rule 25-24.471 (4) (a) (copy enclosed).

Thrifty Call service is MTS resale, permitted within EAEAs under Rule 25-24.471(4)(a).

6. **CURRENT FLORIDA INTRASTATE SERVICES:** Applicant has (X) or has not ( ) previously provided intrastate telecommunications in Florida. If the answer is has, fully describe the following:

a) What services have been provided and when did these services begin? The holding company, Thrifty Call, Inc. has been providing intrastate and interstate long distance services to residential and small business customers in Florida since April, 1995.

b) If the services are not currently offered, when were they discontinued?

These services are still available from Thrifty Call, Inc.

**UTILITY OFFICIAL:**

Harold E. Lovelady  
Signature

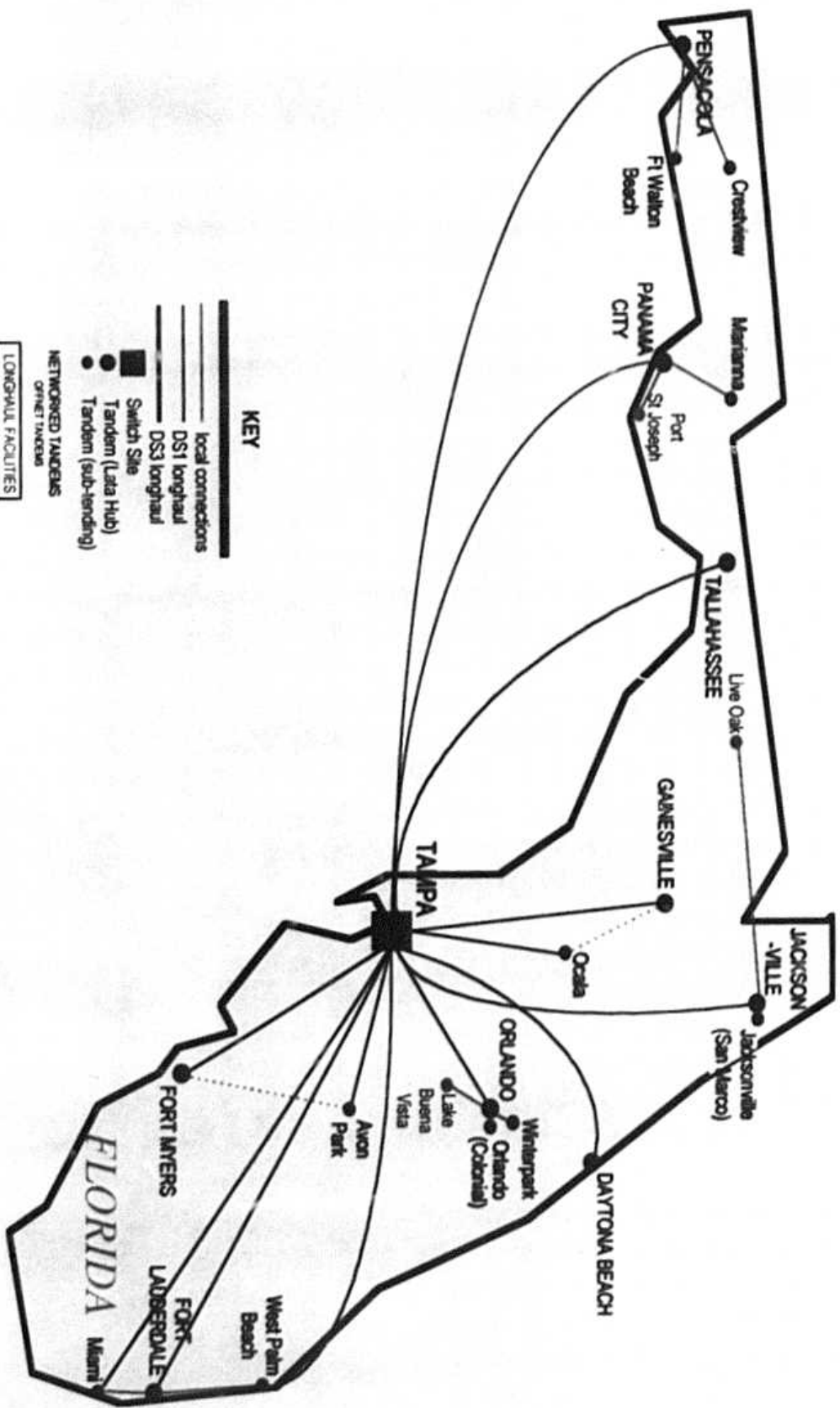
5-22-97  
Date

Harold E. Lovelady  
President  
Title

(512) 392-6225  
Telephone No.

<b>LATA</b>	<b>ADDRESS</b>	<b>CITY</b>	
448	400 E. Wright Street,32504	Pensacola	Leased
450	111 E. 5th St., 32401	Panama City	Leased
452	107 Watts St., 32204	Jacksonville	Leased
452	93 Orange Street, Unit C, 32084	St. Augustine	Leased
454	414 S.W. 3rd Ave., 32601	Gainesville	Leased
454	319 E. Broadway, 32670	Ocala	Leased
456	146 Carswell Ave., 32017	Daytona Beach	Leased
458	841 Florida Ave., 32922	Cocoa	Leased
458	913 E. Strawbridge Ave., 32901	Melbourne	Leased
458	69 W. Concord St., 10th Floor, 32801	Orlando	Leased
460	1522 Nw 23rd Ave., 33334	Ft. Lauderdale	Leased
460	717 N. U.S. 1, 33450	Ft. Pierce	Leased
460	600 S. Dixie Hwy., 33432	Boca Raton	Leased
460	300 S. Dixie Hwy, 33494	Stuart	Leased
460	1420 19th Pl., 32960	Vero Beach	Leased
460	1940 Clare Avenue, 33401	West Palm Beach	Leased
460	2153 Nw 22nd Street, 33142	Miami	Leased
939	4290 Colonial Blvd., 33912	Fort Myers	Leased

# Florida Network



**KEY**

- local connections
- DS1 longhaul
- DS3 longhaul
- Switch Site
- Tandem (Lata Hub)
- Tandem (sub-landing)

**NETWORKED TANDERS**

ORNET TANDERS

**LONGHAUL FACILITIES**

**\*\* APPLICANT ACKNOWLEDGEMENT STATEMENT \*\***

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of its gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** A non-refundable application fee of \$250.00 must be submitted with the application.
5. **RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Orders relating to my provision of interexchange telephone service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding AAV service.
6. **ACCURACY OF APPLICATION:** By my signature below, I the undersigned owner or officer of the named utility in the application, attest to the accuracy of the information contained in this application and associated attachments. I have read the foregoing and declare that to the best of my knowledge and belief, the information is a true and correct statement. Further, I am aware that pursuant to Chapter 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

**UTILITY OFFICIAL:**

Harold E. Lovelady  
Signature

5-22-91  
Date

Harold E. Lovelady  
President  
Title

(512) 392-6225  
Telephone No.



**\*\* APPENDIX D \*\***

**FLORIDA TELEPHONE EXCHANGES**

**AND**

**EAS ROUTES**

Describe the service area in which you hold yourself out to provide service by telephone company exchange. If all services listed in your tariff are not offered at all locations, so indicate.

In an effort to assist you, attached is a list of major exchanges in Florida showing the small exchanges with which each has extended area service (EAS).

**\*\* FLORIDA EAS FOR MAJOR EXCHANGES \*\***

<u>Extended Service Area</u>	<u>with</u>	<u>These Exchanges</u>
PENSACOLA:		Cantonment, Gulf Breeze Pace, Milton Holley-Navarre.
PANAMA CITY:		Lynn Haven, Panama City Beach, Youngstown-Fountain and Tyndall AFB.
TALLAHASSEE:		Crawfordville, Havana, Monticello, Panacea, Sopchoppy and St. Marks.
JACKSONVILLE:		Baldwin, Ft. George, Jacksonville Beach, Callahan, Maxville, Middleburg Orange Park, Ponte Vedra and Julington.
GAINESVILLE:		Alachua, Archer, Brooker, Hawthorne, High Springs, Melrose, Micanopy, Newberry and Waldo.
OCALA:		Belleview, Citra, Dunnellon, Forest Lady Lake (B21), McIntosh, Oklawaha, Orange Springs, Salt Springs and Silver Springs Shores.

**\*\* FLORIDA EAS MAJOR EXCHANGES CONTINUE \*\***

**DAYTONA BEACH:**

New Smyrna Beach.

**TAMPA:**

CentralNone  
EastPlant City  
NorthZephyrhills  
SouthPalmetto  
WestClearwater

**CLEARWATER:**

St. Petersburg, Tampa-West and  
Tarpon Springs.

**ST. PETERSBURG:**

Clearwater.

**LAKELAND:**

Bartow, Mulberry, Plant City,  
Polk City and Winter Haven.

**ORLANDO:**

Apopka, East Orange, Lake  
Buena Vista, Oviedo,  
Windermere, Winter Garden,  
Winter Park, Montverde, Reedy  
Creek, and Oviedo-Winter  
Springs.

**WINTER PARK:**

Apopka, East Orange, Lake  
Buena Vista, Orlando, Oviedo,  
Sanford, Windermere, Winter  
Garden, Oviedo-Winter Springs  
Reedy Creek, Geneva and  
Montverde.

**TITUSVILLE:**

Cocoa and Cocoa Beach.

**COCOA:**

Cocoa Beach, Eau Gallie,  
Melbourne and Titusville.

**MELBOURNE:**

Cocoa, Cocoa Beach, Eau Gallie  
and Sebastian.

**SARASOTA:**

Bradenton, Myakka and Venice.

**FT. MYERS:**

Cape Coral, Ft. Myers Beach,  
North Cape Coral, North Ft.  
Myers, Pine Island, Lehigh  
Acres and Sanibel-Captiva  
Islands.

**\*\* FLORIDA HAS MAJOR EXCHANGES CONTINUE \*\***

<b>NAPLES:</b>	Marco Island and North Naples.
<b>WEST PALM BEACH:</b>	Boynton Beach and Jupiter.
<b>POMPANO BEACH:</b>	Boca Raton, Coral Springs, Deerfield Beach and Ft. Lauderdale.
<b>FT. LAUDERDALE:</b>	Coral Springs, Deerfield Beach, Hollywood and Pompano Beach.
<b>HOLLYWOOD:</b>	Ft. Lauderdale and North Dade.
<b>NORTH DADE:</b>	Hollywood, Miami and Perrine.
<b>MIAMI:</b>	Homestead, North Dade and Perrine







COPY

FLORIDA DEPARTMENT OF STATE  
Sandra B. Mortham  
Secretary of State

May 13, 1997

CT Corporation System

Qualification documents for GOLDEN HARBOR OF FLORIDA, INC. doing business in Florida as HOMETOWN TELEPHONE, INC. were filed on May 12, 1997 and assigned document number F97000002525. Please refer to this number whenever corresponding with this office.

Your corporation is now qualified and authorized to transact business in Florida as of the file date.

A corporation annual report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number will be required before this report can be filed. If you do not already have an FEI number, please apply NOW with the Internal Revenue by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the corporate address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please telephone (904) 487-6091, the Foreign Qualification/Tax Lien Section.

Jennifer Sindt  
Document Examiner  
Division of Corporations

Letter Number: 697A00025419

**RESOLUTION OF BOARD OF DIRECTORS**

I, the undersigned President and Director, do hereby certify that the following Resolution of the Board of Directors of Golden Harbor of Florida, Inc., a corporation duly organized and existing under the laws of the State of Texas, was duly adopted as of May 12, 1997:

Resolved, that Golden Harbor of Florida, Inc. organized and existing in the State of Texas, hereby adopts the name Hometown Telephone, Inc. for use in Florida.

Dated: May 12, 1997.

Golden Harbor of Florida, Inc.

  
Harold E. Lovelady  
President and Director



# APPLICATION OF FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. Golden Harbor of Florida, Inc.  
(Name of corporation: must include the word "INCORPORATED", "COMPANY", "CORPORATION", or words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of a natural person or partnership if not so contained in the name at present.)
  
2. Texas  
(State or country under the law of which it is incorporated)
  
3. applied for  
(FEI number, if applicable)
  
4. May 5, 1997  
(Date of incorporation)
  
5. Perpetual  
(Duration: Year corp. will cease to exist or "perpetual")
  
6. Upon Qualification  
(Date first transacted business in Florida. (See sections 607.1501, 607.1502, and 617.156, F.S.))
  
7. 401 Carlson Circle, San Marcos, Texas 78666  
  
(Current mailing address)
  
8. any and all lawful business for which a corporation may be incorporated pursuant to the Texas Business Corporation Act  
(Purpose(s) of corporation authorized in home state or country to be carried out in the state of Florida)

FL 50  
 SECRETARY OF STATE  
 DIVISION OF CORPORATIONS  
 97 MAY 12 AM 8:59

9. Name and street address of Florida registered agent:

Name: C T Corporation System

Office Address: c/o C T Corporation System, 1200 South Pine Island Road

Plantation, Florida, 33324  
(Zip Code)

10. Registered agent acceptance:

Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application. I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligation of my position as registered agent.

C T Corporation System



(Registered agent's signature) (Officer)

E.A. Wallace, Asst. Secretary

(Type Name and Title of Officer)

Treasurer: \_\_\_\_\_

11. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

12. Names and addresses of officers and/or directors:

A. DIRECTORS

Chairman: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Vice Chairman: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Director: Harold E. Lovelady

Address: 401 Carlson Circle

San Marcos, Texas 78666

Director: Sally A. Ratz

Address: 6881 SE North Marina Way

Stuart, Florida 34996

B. OFFICERS

President: Harold E. Lovelady

Address: 401 Carlson Circle

San Marcos, Texas 78666

Vice President: Bernice Rainosek

Address: 401 Carlson Circle

San Marcos, Texas 78666

Secretary: Sally A. Ratz

Address: 6881 SE North Marina Way


Stuart, Florida 34996

Treasurer: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors.

13.  \_\_\_\_\_  
(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)

14. Bernice Ramosek, Vice President \_\_\_\_\_  
(Typed or printed name and capacity of person signing application)

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATION  
97 MAY 12 AM 8:53

**ADDENDUM**  
to  
**Application by Foreign Corporation for  
Authorization to Transact Business in Florida**

**12.B. Additional officers of Golden Harbor of Florida, Inc.:**

**Assistant Secretary: Harold E. Lovelady**  
401 Carlson Circle  
San Marcos, Texas 78666

**Assistant Secretary: Bernice Rainosek**  
401 Carlson Circle  
San Marcos, Texas 78666

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
97 MAY 12 AM 8:53



COPY

The State of Texas  
Secretary of State

CERTIFICATE OF INCORPORATION  
OF

GOLDEN HARBOR OF FLORIDA, INC.  
CHARTER NUMBER 01444204

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,  
HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF INCORPORATION FOR THE  
ABOVE NAMED CORPORATION HAVE BEEN RECEIVED IN THIS OFFICE AND ARE  
FOUND TO CONFORM TO LAW.


ACCORDINGLY, THE UNDERSIGNED, AS SECRETARY OF STATE, AND BY VIRTUE  
OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUES THIS  
CERTIFICATE OF INCORPORATION.

ISSUANCE OF THIS CERTIFICATE OF INCORPORATION DOES NOT AUTHORIZE  
THE USE OF A CORPORATE NAME IN THIS STATE IN VIOLATION OF THE RIGHTS OF  
ANOTHER UNDER THE FEDERAL TRADEMARK ACT OF 1946, THE TEXAS TRADEMARK LAW,  
THE ASSUMED BUSINESS OR PROFESSIONAL NAME ACT OR THE COMMON LAW.

DATED MAY 5, 1997

EFFECTIVE MAY 5, 1997



  
Antonio O. Garza, Jr., Secretary of State

ARTICLES OF INCORPORATION  
OF  
GOLDEN HARBOR OF FLORIDA, INC.

**COPY**FILED  
In the Office of the  
Secretary of State of Texas

MAY 05 1997

Corporations Section

ARTICLE ONE

The name of the corporation is Golden Harbor of Florida, Inc. (the "Corporation").

ARTICLE TWO

The Corporation shall have perpetual duration.

ARTICLE THREE

The purpose for which the Corporation is organized shall be the transaction of any and all lawful business for which a corporation may be incorporated pursuant to the Texas Business Corporation Act.

ARTICLE FOUR

The aggregate number of shares which the Corporation shall have authority to issue is 10,000 shares of common stock, with par value of \$00.01 per share.

ARTICLE FIVE

The Corporation will not commence business until it has received for the issuance of its shares consideration of the value of \$1,000, consisting of money, labor done, or property actually received.

ARTICLE SIX

The street address of the Corporation's initial registered office is 401 Carlson Circle, San Marcos, Texas 78666, and the name of its initial registered agent at such address is Harold E. Lovelady.

ARTICLE SEVEN

The number of directors constituting the initial Board of Directors is <sup>two</sup> ~~one~~, and the names and addresses of the persons who are to serve as the initial directors are:

Harold E. Lovelady  
401 Carlson Circle  
San Marcos, Texas 78666

Sally A. Batz  
6881 S.E. North Marina Way  
Stuart, Florida 34996

ARTICLE EIGHT

Cumulative voting of shares shall not be allowed in the election of directors. The power to alter, amend or repeal the Corporation's Bylaws and to adopt new Bylaws shall be vested in the Board of Directors, subject to repeal or change by action of the shareholders.

ARTICLE NINE

The name and address of the incorporator is:

Harold E. Lovelady  
401 Carlson Circle  
San Marcos, Texas 78666

ARTICLE TEN

Any action required or permitted by law to be taken at any meeting of shareholders may be taken without a meeting, without prior notice, and without a vote, if a consent or consents in writing, setting forth the action so taken, shall be signed by the holders of outstanding shares having not less than the minimum number of votes that would be necessary to take such action at a meeting at which the holders of all shares entitled to vote on the matter were present and voted.

ARTICLE ELEVEN

A director of the Corporation shall not be liable to the Corporation or its shareholders for monetary damages for an act or omission in the director's capacity as a director of the Corporation, except to the extent that such exemption from liability or limitation thereof is not permitted under the applicable laws of the State of Texas, including, without limitation, the Texas Business Corporation Act and the Texas Miscellaneous Corporation Laws Act, as the same exist or may hereafter be amended. Any repeal or modification of the foregoing sentence shall not adversely affect any right or protection of a director of the Corporation existing hereunder in respect of any act or omission occurring prior to the time of such repeal or modification.

  
\_\_\_\_\_  
Harold E. Lovelady  
Incorporator



## ARTICLES OF INCORPORATION

COPY

OF

GOLDEN HARBOR OF FLORIDA, INC.

ARTICLE ONE

The name of the corporation is Golden Harbor of Florida, Inc. (the "Corporation").

ARTICLE TWO

The Corporation shall have perpetual duration.

ARTICLE THREE

The purpose for which the Corporation is organized shall be the transaction of any and all lawful business for which a corporation may be incorporated pursuant to the Texas Business Corporation Act.

ARTICLE FOUR

The aggregate number of shares which the Corporation shall have authority to issue is 10,000 shares of common stock, with par value of \$00.01 per share.

ARTICLE FIVE

The Corporation will not commence business until it has received for the issuance of its shares consideration of the value of \$1,000, consisting of money, labor done, or property actually received.

ARTICLE SIX

The street address of the Corporation's initial registered office is 401 Carlson Circle, San Marcos, Texas 78666, and the name of its initial registered agent at such address is Harold E. Lovelady.

ARTICLE SEVEN

The number of directors constituting the initial Board of Directors is <sup>two</sup> one, and the names and addresses of the persons who are to serve as the initial directors are:

Harold E. Lovelady  
401 Carlson Circle  
San Marcos, Texas 78666



## **ATTACHMENT B**

### **RESPONSE TO QUESTION NO. 9(c)(1)**

None of the Applicant's officers, directors, or any of the ten largest stockholders has been previously adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime. No such proceedings are pending.

### **RESPONSE TO QUESTION NO. 9(c)(2)**

Harold Lovelady and Bernice Rainosek, President and Vice President, respectively, of Golden Harbor, Inc. (d/b/a Hometown Telephone, Inc.), also serve in the same respective capacities for Thrifty Call, Inc., a certificated interexchange reseller in Florida and the parent of Golden Harbor, Inc.



NAMING RATES FOR  
GOLDEN HARBOR OF FLORIDA, INC. D/B/A HOMETOWN TELEPHONE, INC.

401 Carlson Circle  
San Marcos, Texas 78666  
(512) 392-6225

RESALE COMMON CARRIER SERVICE

AS

VALUE ADDED COMMON CARRIER

Applying to Intrastate Resale Common Carrier  
Communications Services Between Points  
in the State of Florida

And

CONTAINING RULES AND REGULATIONS  
GOVERNING SERVICE

---

ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

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**CHECK SHEET**

The Title Page and Pages 1 through 26 inclusive are effective as of the date shown. Original and revised pages as named below contain all changes from the original tariff that are in effect on the date thereof.

<u>Page</u>	<u>Number of Revisions</u>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original
22	Original
23	Original
24	Original
25	Original
26	Original

\* Indicates new or revised sheets.

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ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

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ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666



---

**APPLICATION OF TARIFF**

This tariff contains the regulations and changes applicable to intrastate interexchange telecommunications reseller services provided by GOLDEN HARBOR OF FLORIDA, INC. D/B/A HOMETOWN TELEPHONE, INC. to customers within the State of Florida.

**TARIFF FORMAT**

- A. **Sheet Numbering** - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. **Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the Commission. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the Commission follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. **Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.
  - 2.1
  - 2.1.1
  - 2.1.1.A.
  - 2.1.1.A. 1
  - 2.1.1.A.1.(a)
  - 2.1.1.A.1.(a).I.
  - 2.1.1.A.1.(a).I.(i).
  - 2.1.1.A.1.(a).I.(i).(1).
- D. **Check Sheets** - When a tariff filing is made with the Commission, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, must revised revisions levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the Commission.

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ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

---

**CONCURRING, CONNECTING OR  
OTHER PARTICIPATING CARRIERS**

1. Concurring Carriers - None.
2. Terminating Carriers - To Be Determined. Under contractual negotiations with a certified interexchange carrier in the State of Florida.
3. Other Participating Carriers - None.
4. Billing Agents - None

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ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

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Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

---

SECTION 1

EXPLANATION OF SYMBOLS  
AND ABBREVIATIONS AND DEFINITION OF TERMS

A. Symbols

- D - Delete or Discontinue
- I - Change Resulting in an Increase to a Customer's Bill
- M - Moved from Another Tariff Location
- N - New
- R - Change Resulting in a Reduction to a Customer's Bill
- T - Change in Text or Regulation but no Change to Rate or Change

B. Abbreviations

- LATA - Local Access and Transport Area
- LEC - Local Exchange Carrier
- POP - Point of Presence
- WAL - WATS Access Line

C. Definition of Terms

**Access Line:** A transmission line from either the LEC's or the Carrier's Point-of-Presence (POP) to a customer's premises used to process voice and limited speed data calls.

**Commission:** Florida Public Service Commission.

**Company:** Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc., a Texas corporation.

**Customer:** A person or legal entity which orders or uses the services provided by Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. d/b/a Hometown Telephone, Inc. and is responsible for the payment of charges and compliance with tariff regulations.

**InterLATA Call:** Any call that originates in one LATA and terminates in a different LATA.

**LATA:** Local Access Transport Area is a geographic boundary within which the LEC provides communications services. Multiple LECs may provide services within the same LATA.

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ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

---

SECTION 1

EXPLANATION OF SYMBOLS  
AND ABBREVIATIONS AND DEFINITION OF TERMS  
(cont'd)

C. Definition of Terms (cont'd)

**Local Exchange Carrier (LEC):** The serving telephone company providing local services to subscribers. This company may also provide some of the following services: IntraLATA service, voice and data private line services, custom calling services and billing and collection services.

**Point-of-Presence (POP):** The central office of the underlying carrier where the LEC hands off the traffic of Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. customers or where the T-1 digital facility interconnects with the underlying carrier.

**Switched Access:** If the Customer's location has a transmission line that is switched through the LEC to reach the network of the underlying carrier's POP, the access is switched.

**T-1 Digital Service:** A digital link between two points. This link typically transmits at speeds of 1.544 megabytes per second. In most cases, this service allows twenty-four dedicated access lines between any two points. T-1 Service may be provided by the LEC, AT&T, or other carriers.

**WATS Access Line (WAL):** A switched access transmission line used to process voice and limited speed data calls.

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ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

---

SECTION 2 - RULES AND REGULATIONS

A. Scope of Services

- (a) Basic Service Offering: The Company offers and provides direct dialed long distance to residential and business customers. Service is available on a full time basis, 24 hours a day, seven days a week. Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. Service allows customers to place direct dialed calls to terminating locations. Calls are placed by dialing "1+" or "10923+1" and the destination telephone number, including the area code, if applicable. Customers may access the Company Service through switched access facilities. The Company does not provide operator services.
- (b) Custom or Enhanced Service Offering: None.
- (c) Undertaking of the Company

The Company's services are furnished for communications originating within the State of Florida under terms of this Tariff.

This Tariff governs the provision of switched message telephone service within the State of Florida by resale of other interexchange carriers' services.

The Company may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer, to allow connection of a customer's location to the Company's services. The Customer shall be responsible for all charges due for such service arrangement. The Company's services are provided on a monthly basis, and are available twenty-four hours per day, seven days per week.

B. Service Availability

- (a) The Company offers service to all those who desire to purchase service from the Company consistent with all provisions of this Tariff.
- (b) No service application, deposit or advance payment is required.
- (c) Service is offered subject to the availability of facilities of the underlying carrier and the provisions of this Tariff, and the rules of the Commission applying to long distance communications resellers.
- (d) The Company reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control; or when the Customer is using service in violation of the law or the provisions of this Tariff.
- (e) The Customer may not transfer or assign the use of service except with the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

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EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

---

**SECTION 2 - RULES AND REGULATIONS**  
(cont'd)

**B. Service Availability** (cont'd)

- (f) Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this Tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.
- (g) The Company reserves the right to refuse, in accordance with Commission Rule 25-4.113, service to customers without incurring liability.
  - (i) For non-payment of any sum owing to the Company;
  - (ii) For insufficient or fraudulent billing information, invalid or unauthorized telephone number;
  - (iii) For any violation by a Customer related to the request for such service of either the provisions of this Tariff or any laws, rules, regulations, or policies;
  - (iv) By reason of any order or decision of a court or other governmental authority which prohibits the Company from furnishing such service;
  - (v) If the Company deems such refusal necessary to protect itself or third parties against fraud or to otherwise protect its personnel, agents, or services.

**C. Nonrecurring Charges**

- (a) Unless noted otherwise no nonrecurring charges are associated with the Company's service.
- (b) Customer, subscriber or end user will be billed and is responsible for payment of applicable local, state and federal taxes assessed in conjunction with the services used.
- (c) Customers shall be liable to the Company for all costs of collection.

**D. Rendering and Payment of Bills**

(a) **Billing Period**

The Company's billing periods are consistent with the billing periods used by the company that renders the bill. Long distance charges are billed in arrears.

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EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666



---

**SECTION 2 - RULES AND REGULATIONS**

(cont'd)

**D. Rendering and Payment of Bills** (cont'd)

**(b) Rendering Bills**

Bills will be rendered either directly by the company, Visa, Mastercard, Discover or by the local exchange company providing the billing and collection services for the Company. Bills are sent via U. S. Mail to the billing address listed on the application unless the Customer has changed the information originally provided.

**(c) Payment of Bills**

The Customer is ultimately responsible for payment of all charges for service provided by the Company. Payment is due within twenty-one (21) days of the monthly statement date. Payments are sent to the local exchange company on whose bill the Company's charges to the Customer are stated.

**E. Billing Disputes**

(a) Billing disputes shall be processed by the Company consistent with Commission Rules.

(b) Service Representatives are available to assist with billing inquiries Monday through Friday eight (8) hours per day, or they may be addressed in writing to Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc., 401 Carlson Circle, San Marcos, Texas 78666. Billing disputes may also be addressed by calling (800) 230-4576.

(c) Customers unsatisfied with the Company's handling of a dispute may contact the Commission at:

101 East Gaines Street, Fletcher Building  
Tallahassee, FL 32399-0850  
(904) 488-3464

**F. Liability and Interconnection**

(a) The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage) for any interruption, delay, error, omission, or defect in any service, facility (including services and facilities involved in emergency calling activity) or transmission provided under this Tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.

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ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

---

**SECTION 2 - RULES AND REGULATIONS**

(cont'd)

**F. Liability and Interconnection (cont'd)**

- (b) The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer and Subscriber against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, tradename or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other conduct revealed to, transmitted by, or used by the Company under this Tariff; or for any act or omission of the Customer or Subscriber; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use, or removal of equipment or wiring provided by the Company, if not caused by negligence of the Company.
- (c) The Company shall not be liable for any defacement of or damages to the premises of a Customer or Subscriber, resulting from the furnishing of service, which is not the result of the Company's negligence.
- (d) Except when a court of competent jurisdiction finds that gross negligence, willful neglect, or willful misconduct on the Company's part has been a contributing factor, the liability of the Company for any claim or loss, expense or damage (including indirect, special or consequential damage) for any interpretation, delay, error, omission, or defect in any service, facility (including services and facilities involved in emergency calling activity) or transmission provided under this Tariff shall not exceed an amount equivalent to the prorata charge to the Customer or Subscriber for the period of service or facility usage during which such interruption, delay, error, omission or defect occurs. For the purpose of computing this amount, a month is considered to have thirty (30) days.

**G. Use of Service**

- (a) Service may be used for the transmission of communications by the Customer and the Customer's authorized user(s).
- (b) The Customer may not use any of the services furnished by the Company under this Tariff for any unlawful purpose.

---

ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666



---

**SECTION 2 - RULES AND REGULATIONS**  
(cont'd)

H. **Interruption of Service**

Credit allowances for the interruption of service are subject to the general liability provisions set forth in Paragraph F preceding. It shall be the obligation of the Customer to notify the Company immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission by the Customer within his control, or is not in wiring or equipment, if any, furnished by the Customer.

I. **Refusal and Restoration of Service**

Refusal and restoration of service will be handled in accordance with Commission Rule 25-4.113.

J. **Customer Service**

To reach Customer Service via telephone, Customers may call the Company's toll-free Customer Service number:

(800) 230-4576

Calls are answered seven (7) days a week, twenty-four (24) hours per day, 365 days per year. Customer Service may also be contracted in writing at Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc., 401 Carlson Circle, San Marcos, Texas 78666.

K. **Taxes**

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

L. **Exclusion Requirements**

The Company has no exclusion requirements.

M. **Employee Concessions**

The Company has no employee concessions.

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ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

---

SECTION 3 - DESCRIPTION OF SERVICE

A. Timing of Calls

The Customer's long distance usage charge is based on call duration, time-of-day, and mileage. Calls are timed and measured by the underlying carrier, whose services are resold by the Company in accordance with its own Tariff.

- (a) On all calls, chargeable time begins when connection is established between the calling station and the called station.
- (b) Chargeable time ends when either station "hangs up". A station "hangs up" and chargeable time ends when the connection is released by the automatic timing equipment in the network.
- (c) When the Company's services are directly connected to a Customer-provided communications system at the Customer's premises, chargeable time begins when a call terminates in, or passes through, the first Customer equipment on that Customer provided communications system.

B. Uncompleted Calls

There is no charge for uncompleted calls.

C. Calculation of Distance

(a) Mileage Measurements for Service

Calculation of distance is in accordance with the V&H coordinate system. The mileage for calls is the distance in airline miles measured between:

- (i) the rate centers associated with the originating and terminating stations;
- (ii) the V&H coordinates associated with a central office and the rate center associated with a station.
- (iii) Formula:

$$\frac{\sqrt{(V1 - V2)^2 + (H1 - H2)^2}}{10}$$

---

ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

---

**SECTION 3 - DESCRIPTION OF SERVICE**  
(cont'd)

(b) **Minimum Call Completion Rate**

The Company's network is engineered, for network blockage purposes, to a PO1 grade of service. Customers can expect a call completion rate of 99.9% at peak use periods. The call completion rate is calculated as the number of calls completed (including calls completed to a busy line or to a line that remains unanswered by the called party) divided by the number of calls attempted.

D. **Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. Calling Card Services**

- (a) Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. Calling Card Service allows customers using touch-tone telephones the ability to make long distance calls when away from their home or office. To use Calling Card Service, customers dial an 800 number and a fourteen-digit identification code and the telephone number of the called party. Various billing options will include Mastercard, Visa, Discover, and direct and LEC billing. Calls to 0+, 700, 800 & 900 telephone numbers are blocked and therefore not available with Calling Card Service. Customers must register with Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. for Calling Card Service.

Sequential Calling allows the customer the ability to make additional long distance calls (to the same or different terminating phone number) without redialing the Company's 800 number and customer's personal identification number. This is accomplished by pressing the # key (for two seconds). The appropriate per minute rate specified in Section 3 below applies to each call. The Sequential Calling feature is available to all Calling Card Service.

End users will be billed for their actual minutes of use. Customer has choice of 3 billing options:

1. **Credit Card Billing** - Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. charges will be aggregated and billed to end user in \$25 increments. It is possible for a customer to have multiple \$25 postings to his account. If a customer does not accrue \$25 in a given month, the credit card posting will reflect actual charges accrued. Tax is included in each line-item charge. End user may retrieve 1 free call detail report per month from their fax mailbox. However, any additional faxes retrieved will be charged at the regular fax mail rates.
2. **LEC Billing** - Billed as Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. on end users' regular monthly telephone company statement on Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. call detail pages.
3. **Direct Billing** - Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. charges will be billed directly to the end user by Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.

---

ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

---

**SECTION 3 - DESCRIPTION OF SERVICE**

(cont'd)

D. Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. Calling Card Services (cont'd)

- (b) The following enhanced features are available to calling card customers with credit card billing:
- (1) Voice Mail - This feature provides customers the ability to receive, retrieve, save and delete voice mail messages. The Calling Card customer is advised by voice prompt after entering their card number if voice mail messages are in their voice mailbox. The per minute rate for this feature is offered only in conjunction with Calling Card Service that is billed to the customer's credit card.
  - (2) Fax Mail - This feature provides customers the ability to receive documents at any designated fax number. The Calling Card customer is advised by voice prompt after entering their card number if fax mail messages are in their fax mailbox. The per minute rate for this feature is specified in Section 4. The Fax Mail feature is offered only in conjunction with Calling Card Service that is billed to the customer's credit card.

E. Call Home

- (a) The Company's Call Home Service allows customers using a touch tone telephone the ability to call their homes or offices when out of their local calling exchange. Customers will dial an 800 number and their personal authorization code. Various billing options may include Mastercard, Visa, Discover, direct and LEC billing. Calls to 0+, 700, 800 and 900 telephone numbers are not permitted. Customers must register with Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. for this service.

---

ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666

SECTION 4 - RATES

A. Rates

(a) Message Telecommunications Service

The following charges apply to each intrastate call.

(i) Price Schedule IntraLATA

Bell South Service Area

MILEAGE	PEAK	PEAK	OFF PEAK	OFF PEAK
IntraLATA	1st 30 Sec	Ea Add Tenth	1st 30 Sec	Ea Add Tenth
0-10	\$0.1050	\$0.0210	\$0.0630	\$0.0126
11-22	\$0.1050	\$0.0210	\$0.0630	\$0.0126
23-55	\$0.0945	\$0.0189	\$0.0567	\$0.0113
56-124	\$0.0893	\$0.0179	\$0.0536	\$0.0107
125-292	\$0.0830	\$0.0166	\$0.0498	\$0.0100

Peak Rates: Apply Monday thru Friday 7:00 A.M. to, but not including, 6:00 P.M.

Off Peak Rates: Apply Monday thru Friday 6:00 P.M. to, but not including 7:00 A.M., All Day Saturday and Sunday

GTE Service Area

MILEAGE	PEAK	PEAK	OFF PEAK	OFF PEAK
IntraLATA	1st Min	Ea Add Min	1st Min	Ea Add Min
0-10	\$0.2100	\$0.2100	\$0.1208	\$0.1208
11-22	\$0.2100	\$0.2100	\$0.1208	\$0.1208
23-55	\$0.1890	\$0.1890	\$0.1087	\$0.1087
56+	\$0.1785	\$0.1785	\$0.1026	\$0.1026

Peak Rates: Apply Monday thru Friday 7:00 A.M. to, but not including, 7:00 P.M.

Off Peak Rates: Apply Monday thru Friday 7:00 P.M. to, but not including, 7:00 A.M., All Day Saturday and Sunday

ISSUED MAY 22, 1997

EFFECTIVE \_\_\_\_\_

BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
401 Carlson Circle  
San Marcos, Texas 78666



**SECTION 4 - RATES**  
 (cont'd)

A. Rates (cont'd)

(a) Message Telecommunications Service (cont'd)

The following charges apply to each intrastate call.

(i) Price Schedule IntraLATA (cont'd)

United Service Area

MILEAGE	DAY	DAY	EVE	EVE	NIGHT	NIGHT
IntraLATA	1st Min	Ea Add Min	1st Min	Ea Add Min	1st Min	Ea Add Min
0-10	\$0.1400	\$0.0700	\$0.1050	\$0.0525	\$0.0700	\$0.0350
11-22	\$0.2400	\$0.1400	\$0.1800	\$0.1050	\$0.1200	\$0.0700
23-55	\$0.2160	\$0.1890	\$0.1620	\$0.1418	\$0.1080	\$0.0945
56-124	\$0.2040	\$0.1785	\$0.1530	\$0.1339	\$0.1020	\$0.0893
125-292	\$0.1896	\$0.1659	\$0.1422	\$0.1244	\$0.0948	\$0.0830

Centel Service Area

MILEAGE	PEAK	PEAK	OFF PEAK	OFF PEAK
IntraLATA	1st Min	Ea Add Min	1st Min	Ea Add Min
0-10	\$0.1700	\$0.1700	\$0.1000	\$0.1000
11-22	\$0.1700	\$0.1700	\$0.1000	\$0.1000
23-55	\$0.1530	\$0.1530	\$0.0900	\$0.0900
56-124	\$0.1530	\$0.1530	\$0.0900	\$0.0900
125-292	\$0.1530	\$0.1530	\$0.0900	\$0.0900

Peak Rates: Monday thru Friday 7:00 A.M. to, but not including, 7:00 P.M.

Off Peak Rates: Monday thru Friday 7:00 P.M. to, but not including, 7:00 A.M., all day Saturday and Sunday

ISSUED MAY 22, 1997

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**SECTION 4 - RATES**  
(cont'd)

A. Rates (cont'd)

(a) Message Telecommunications Service (cont'd)

(ii) Price Schedule

Long Distance Rates InterLATA

MILEAGE IntraLATA	DAY 1st Min	DAY Ea Add Min	EVE 1st Min	EVE Ea Add Min	NIGHT 1st Min	NIGHT Ea Add Min
1-10	\$0.2000	\$0.2000	\$0.1500	\$0.1500	\$0.1200	\$0.1200
11-22	\$0.2100	\$0.2100	\$0.1600	\$0.1600	\$0.1300	\$0.1300
23-55	\$0.2160	\$0.2160	\$0.1620	\$0.1620	\$0.1260	\$0.1260
56-124	\$0.2125	\$0.2125	\$0.1615	\$0.1615	\$0.1275	\$0.1275
125-292	\$0.2125	\$0.2125	\$0.1615	\$0.1615	\$0.1360	\$0.1360
293-430	\$0.2050	\$0.2050	\$0.1558	\$0.1558	\$0.1312	\$0.1312
431-624	\$0.1975	\$0.1975	\$0.1501	\$0.1501	\$0.1264	\$0.1264

Day Rate Period: 8:00 A.M. to (but not included) 5:00 P.M. Monday thru Friday

Evening Rate Period: 5:00 P.M. to (but not included) 11:00 P.M. Sunday thru Friday

Night/Weekend  
Rate Period:

11:00 P.M. to (but not included) 8:00 A.M. Sunday thru Friday, all day Saturday,  
and 8:00 A.M. to (but not included) 5:00 P.M. Sunday

(iii) Directory Assistance

Charges for all calls made to directory assistance, regardless of the time of day or day of week are \$.65 per call.

To access directory assistance, the caller dials 10923+1+(area code)+555-1212. No additional measured use or per call charges apply.

(iv) Calling Card Service

Calls placed using the Company's Calling Card Service are billed on a flat rate per minute basis and are rounded up to the next whole minute. No holiday rates or other rate periods apply.

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San Marcos, Texas 78666

---

**SECTION 4 - RATES**  
(cont'd)

A. Rates (cont'd)

(a) Message Telecommunications Service (cont'd)

(iv) Calling Card Service (cont'd)

- (a) Calls within the domestic U. S., including Hawaii, Alaska, & Domestic 809 (Puerto Rico and Virgin Islands only): \$.50 1st minute; \$.25 each additional minute.
- (b) Voice Mail Rates: \$.25 per minute to retrieve messages.
- (c) Fax Mail Rates: \$.25 per minute to retrieve documents. There is no charge to have a Voice/Fax Mailbox. Customer is only charged for retrieved messages.

(v) Call Home

Calls placed using the Company's Call Home Service are billed on a flat rate per minute basis are rounded up to the next whole minute. No holiday or other rate periods apply.

- (a) Calls within the domestic U. S. are \$.22 per minute of use.
- (b) Monthly recurring cost is \$2.50 per telephone number designated as the call home terminating number.

B. Minimum Charge

- (a) There are no minimum usage requirements or charges for Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. service.

C. Delayed Payment Charge

(a) Penalty Charges

There is no penalty for delayed payment except those which are applied by local exchange carriers to customers who are delinquent in payment of charges owed by the customer. Southern Bell Telephone Company, Inc., General Telephone Company, Inc. and United Telephone Company of Florida are governed by the Commission in their procedures for collection of amounts owed for services rendered.

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San Marcos, Texas 78666



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**SECTION 4 - RATES**  
(cont'd)

D. Term

(a) Contractual Arrangements

There are no contractual arrangements for Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. service. There is no monthly recurring charge. There are also no sign-up fees or minimum number of calls.

E. Special Rules and Regulations

(a) Measurement

Rates are distance, usage and time sensitive.

(b) Time of Day and Day of Week

Different rates may be applicable to a call at a different time of the day and on certain days of the week as specified in the appropriate rate schedule for that call.

Application periods shown below apply for Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. services unless noted elsewhere in the Tariff.

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ISSUED MAY 22, 1997

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BY:

Harold E. Lovelady, President  
Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc.  
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San Marcos, Texas 78666

**IntraLATA**

**Rate Periods**

	MON	TUES	WED	THURS	FRI	SAT	SUN
8 AM to 5 PM*	<b>Weekday Rate</b>						
5 PM to 11 PM*	<b>Evening/Holiday Rate</b>						
11 PM to 8 AM*	<b>Night/Weekend Rate</b>						

- \* Day rates to, but not including 5:00 PM
- Evening/Holiday rates to, but not including 11:00 PM
- Night/Weekend rates to, but not including 8:00 AM

**InterLATA**

**Rate Periods**

	MON	TUES	WED	THURS	FRI	SAT	SUN
8 AM to 5 PM*	<b>Weekday Rate</b>						
5 PM to 11 PM*	<b>Evening/Holiday Rate</b>						
11 PM to 8 AM*	<b>Night/Weekend Rate</b>						

- \* Day rates to, but not including 5:00 PM
- Evening/Holiday rates to, but not including 11:00 PM
- Night/Weekend rates to, but not including 8:00 AM

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---

**SECTION 4 - RATES**  
(cont'd)

(c) **Determining Applicable Rate in Effect**

For the initial minute, the rate at the start of chargeable time at the calling station applies. For additional minutes, the rate applicable is the rate which is in effect at the calling station when the additional minute(s) begin. That is, if chargeable time begins during the Evening Rate Period, the Evening rate applies to the initial minute and to any additional minutes that the call continues during that rate period. If the call continues into a different rate period, the appropriate rates from that rate period apply to any additional minutes occurring in that rate period. If an additional minute is split between two rate periods, the rate period applicable at the start of the minute applies to that entire minute.

(d) **Initial and Additional Period**

The usage rate is based on an initial period plus any additional period. Unless noted otherwise, the initial period for service is 60 seconds or fraction thereof. The additional period, if any, is each 60 second period with rounding to the next whole minute.

F. **Returned Check Charge**

The Company will assess a returned check charge of \$20.00, or 5 percent of the amount owed, whichever is greater, on all returned checks.

G. **Restoration of Service Charges**

The Company does not impose restoration of service charges.

H. **Special Promotions**

Any special promotion run by the Company will be approved by the FPSC. The promotion will state exactly what charges are being reduced or waived, who is eligible, what Customers have to do to be eligible, and starting and ending date of the promotion. Individual Customers may not receive such reduced rates more than 90 days per 12 month period.

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---

SECTION 4 - RATES

(cont'd)

E. Special Rates and Regulations (cont'd)

I. Hearing/Speech Impaired Customers

- (a) Intrastate toll message rates for TDD users shall be the current evening rates for daytime calls and current night rates for evening and night calls.
- (b) For intrastate toll calls received from a relay service, each call shall be discounted by 50 percent off of the otherwise applicable rate for a voice nonrelay call except that where either the calling or called party substantiates that either the party is both hearing and visually impaired, the call shall be discounted 60 percent off of the otherwise applicable rate for a voice nonrelay call. These discounts apply only to time-sensitive elements of a charge for a call and shall not apply to per call charges such as a credit card surcharge.
- (c) There shall be no charge for up to fifty directory assistance calls per billing cycle from lines or trunks serving individuals with disabilities. For purposes of this section, a disability means a physical or mental impairment that prohibits a customer from using a telephone directory.

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**KELLEY DRYE & WARREN LLP**

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

1200 19TH STREET, N.W.

SUITE 500

WASHINGTON, D. C. 20036

(202) 955-9600

FACSIMILE

(202) 955-9792

WRITER'S DIRECT LINE

(202) 955-9888

NEW YORK, N.Y.

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June 10, 1997

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DATE

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JUN 12 1997

**VIA OVERNIGHT COURIER**

Ms. Blanca S. Bayo  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2550 Shumard Oak Boulevard  
Tallahassee, Florida 32399

**Re: Application of Golden Harbor of Florida, Inc., d/b/a Hometown Telephone, Inc., for Authority to Provide Resold Intrastate Interexchange Services**

Dear Ms. Bayo:

Enclosed herewith for filing with the Florida Public Service Commission are the original and fifteen (15) copies of Golden Harbor of Florida, Inc.'s (d/b/a Hometown Telephone, Inc.) application for authority to provide resold intrastate interexchange services.

FIRST UNION NATIONAL BANK  
OF WASHINGTON, D.C.  
WASHINGTON, DC

04378

**KELLEY DRYE & WARREN LLP**  
1200 19TH STREET, N.W.  
WASHINGTON, DC 20036

June 9, 1997

PAY TO THE ORDER OF The Florida Public Service Commission \$ 250.00  
Two Hundred and Fifty-----00/100-----DOLLARS

MEMO Filing Fee 63153.1

*David L. Vaughan*