

DEPOSIT
D058

DATE
JAN 11 1999

Lance J.M. Steinhart

Attorney At Law
6455 East Johns Crossing
Suite 285
Duluth, Georgia 30097

Also Admitted in New York
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Telephone: (770) 232-9200
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January 7, 1999

VIA OVERNIGHT DELIVERY

Florida Public Service Commission
Division of Communications
Certification & Compliance Section
2540 Shumard Oak Blvd.
Gunter Bldg.
Tallahassee, Florida 32399-0850

990039-TX

99 JAN -8 PM 4:37
MAIL ROOM

Re: HJN Telecom, Inc.

Dear Sir/Madam:

Enclosed please find one original and six (6) copies of HJN Telecom, Inc.'s Application for Authority to Provide Alternate Local Exchange Service Within the State of Florida.

The company was authorized to provide interexchange service by the Commission in Docket No. 980771-TI.

HJN Telecom, Inc. has sufficient financial capability to provide the requested service in the State of Florida and has sufficient financial capability to maintain the requested service and to meet its lease or ownership obligations. In support of HJN Telecom, Inc.'s stated financial capability, attached to its application is a copy of the Company's Balance Sheet as of June 15, 1998. As a reseller, applicant does not intend to make a capital investment to provide service in the State of Florida, however, applicant intends to fund the provision of service through internally generated cash flow and capital contributions from the principals of the company. HJN Telecom, Inc. also has the ability to borrow funds, if required, based upon its financial capabilities.

I also have enclosed a check in the amount of \$250.00 payable to the Florida Public Service Commission to cover the cost of filing these documents.

DOCUMENT NUMBER-DATE

00412 JAN 11 8

FPSC-RECORDS/REPORTING

Florida Public Service Commission
January 7, 1999
Page 2

Please return a stamped copy of the extra copy of this letter in the enclosed preaddressed prepaid envelope.

If you have any questions regarding the application, please do not hesitate to call me. Thank you for your attention to this matter.

Sincerely,



Lance J.M. Steinhart, Esq.
Attorney for HJN Telecom, Inc.

Enclosures

cc: Mr. Herb J. Newton (w/enc)

**FLORIDA PUBLIC SERVICE COMMISSION
CAPITAL CIRCLE OFFICE CENTER - 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850**

**APPLICATION FORM
for
AUTHORITY TO PROVIDE ALTERNATIVE LOCAL EXCHANGE SERVICE
WITHIN THE STATE OF FLORIDA**

INSTRUCTIONS

1. **This form is used for an original application for a certificate and for approval of sale, assignment or transfer of an existing alternative local exchange certificate. In case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee.**
2. **Respond to each item requested in the application and appendices. If an item is not applicable, please explain why.**
3. **Use a separate sheet for each answer which will not fit the allotted space.**
4. **If you have questions about completing the form, contact:**

**Florida Public Service Commission
Division of Communications
Certification & Compliance Section
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0866
(904) 413-6600**
5. **Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of \$250 made payable to the Florida Public Service Commission at the above address.**

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

Original authority (new company)

Approval of transfer (to another certificated company)

Example, a certificated company purchases an existing company and desires to retain the original certificate of authority.

Approval of assignment of existing certificate (to a non-certificated company)

Example, a non-certificated company purchases an existing company and desires to retain the certificate of authority rather than apply for a new certificate.

Approval for transfer of control (to another certificated company)

Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of applicant:

HJN Telecom, Inc.

3. Name under which the applicant will do business (d/b/a):

d/b/a Not Applicable

4. If applicable, please provide proof of fictitious name (d/b/a) registration. N/A

Fictitious name registration number: Not Applicable

5. A. National mailing address including street name, number, post office box, city, state, zip code and phone number.

**3235 Satellite Boulevard
Building 400, Suite 300
Duluth, Georgia 30096
770-291-2121**

B. Florida mailing address including street name, number, post office box, city, state, zip code and phone number.

None

6. 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"/> Joint Venture | <input type="checkbox"/> Other, Please explain |

7. If applicant is an individual, partnership, or joint venture, please give name, title and address of each legal entity.

N/A

8. State whether any of the officers, directors, or any of the ten largest stockholders have previously been adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, please explain.

No.

9. If incorporated, please provide proof from the Florida Secretary of State that the applicant has authority to operate in Florida.

Corporate charter number: F98000003579

10. Please provide the name, title, address, telephone number, internet address, and facsimile number for the person serving as ongoing liaison with the Commission, and if different, the liaison responsible for this application.

P. Bradley Clapp - Ongoing Liaison
Secretary/Treasurer
HJN Telecom, Inc.
3235 Satellite Boulevard
Building 400, Suite 300
Duluth, Georgia 30096
770-291-2121/Phone
770-614-1266/Fax

Lance J.M. Steinhart - Application
Regulatory Counsel
6455 E. Johns Crossing, Suite 285
Duluth, GA 30097

770-232-9200/Phone
770-232-9208/Fax

11. Please list other states in which the applicant is currently providing or has applied to provide local exchange or alternative local exchange service.

Applicant is not currently providing local exchange service in any state. The company is in the process of applying to provide local exchange service in the 48 contiguous states.

12. Has the applicant been denied certification in any other state? If so, please list the state and reason for denial.

No.

13. Have penalties been imposed against the applicant in any other state? If so, please list the state and reason for penalty.

No.

14. Please indicate how a customer can file a service complaint with your company.

Customer service will be available at the same times as the incumbent local exchange carriers which will provide the underlying facilities for applicant's proposed service.

15. Please complete and file a price list in accordance with Commission Rule 25-24.825.

Applicant will provide prior to the commencement of the provision of basic service.

16. Please provide all available documentation demonstrating that the applicant has the following capabilities to provide alternative local exchange service in Florida.

A. Financial capability.

Regarding the showing of financial capability, the following applies:

The application should contain the applicant's financial statements for the most recent 3 years, including:

1. the balance sheet
2. income statement
3. statement of retained earnings.

Further, a written explanation, which can include supporting documentation, regarding the following should be provided to show financial capability.

1. Please provide documentation that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
2. Please provide documentation that the applicant has sufficient financial capability to maintain the requested service.
3. Please provide documentation that the applicant has sufficient financial capability to meet its lease or ownership obligations.

NOTE: This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.

If available, the financial statements should be audited financial statements.

If the applicant does not have audited financial statements, it shall be so stated. The unaudited financial statements should then be signed by the applicant's chief executive officer and chief financial officer. The signatures should attest that the financial statements are true and correct.

See Attached

B. **Managerial capability.**

See Attached.

C. **Technical capability.**

(If you will be providing local intra-exchange switched telecommunications service, then state how you will provide access to 911 emergency service. If the nature of the emergency 911 service access and funding mechanism is not equivalent to that provided by the local exchange companies in the areas to be served, describe in detail the difference.)

Since applicant intends to provide only resold local exchange service utilizing the facilities of incumbent local exchange carriers, access to 911 emergency service will be provided by the LECs.

AFFIDAVIT

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative local exchange service in the State of Florida. I have read the foregoing and declare that to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

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, punishable as provided in s. 775.082 and s. 775.083".

Official: 
Signature

1/7/99
Date

Title: Herb J. Newton
President

770-291-2121
Telephone Number

Address: 3235 Satellite Boulevard, Bldg. 400, Suite 300
Duluth, Georgia 30096

LIST OF ATTACHMENTS

FINANCIAL INFORMATION

MANAGEMENT INFORMATION

HJN Telecom, Inc.
3235 Satellite Boulevard
Building 400, Suite 300
Duluth, GA 30096

Balance Sheet
June 15, 1998

Assets

Current Assets:

Cash	\$	250,000.00
Total Current Assets	\$	250,000.00
Total Assets	\$	250,000.00

Liabilities and shareholder's equity

Common Stock 1,000 shares authorized, 100 shares issued and outstanding, no par value	\$	100.00
Additional Paid-in Capital	\$	249,900.00
Total Equity	\$	250,000.00
Total Liabilities and shareholder's equity	\$	250,000.00

PHILLIP BRADLEY CLAPP, CPA
1588 Macy Lane
Lawrenceville, GA 30043
Home Phone • 770-963-0091

CAREER OBJECTIVE

- * To utilize my accounting and management skills to an organization's complete benefit.

EMPLOYMENT HISTORY

- * May, 1997 - Current -- Newton Enterprises, HJN Telecom, and related organizations

- * August, 1985 - January, 1993 -- H.J. Newton Enterprises, Inc., Duluth, GA

My position as Controller/Assistant to the President afforded me the opportunity to use my accounting background, computer skills, and management abilities to work on a variety of projects including preparation of financing proposals, opening new businesses, financial statement analysis, office management, corporate and individual tax return preparation, daily accounting responsibilities, contract negotiation, and various other affiliated activities.

- * February, 1993 - April, 1997 -- Golden Circle Ford • Lincoln • Mercury, Inc. - Jackson, TN

My position as Controller/Office Manager has given me the day to day responsibility of the accounting office and the staff. I am an integral part of the daily activities, performing all roles in the payroll cycle, coordinating tax and other matters with the banks and outside CPAs, signing contracts and checks on behalf of the dealership, and performing any other tasks either assigned me or that I observe needed doing. I am also the system administrator of our ADP computer system.

- * September, 1981 - August, 1985 -- Pugh & Company, PC, CPA, Knoxville, TN

I was employed as a staff and a semi-senior accountant in the audit department. These positions allowed me to be in-charge of various types of engagements, including report and tax return preparation. The primary types of clients I was assigned to included contractors, wholesalers, automobile dealerships, and not-for-profit organizations.

I successfully completed the CPA Examination during this time period.

- * April, 1977 - September, 1981

I was employed by Todd and Armistead Drug Store and the Athletic House, both in Knoxville. I worked 25 - 30 hours a week while attending college, in order to pay for my education. My varied responsibilities included accounting, retail sales, maintenance, and other related tasks.

EDUCATION

- * I graduated with honors from the University of Tennessee with a major in Accounting in June, 1981.

CHURCH

* I am an active member of Old Peachtree Presbyterian Church, PCA in Duluth, GA, serving as a substitute pianist and Sunday School teacher. I have been ordained an Elder and Deacon in the Presbyterian Church, USA. I have twice served as Church Treasurer and on various committees, including Missions, Finance, Worship, and Administrative.

PERSONAL HISTORY

- * I am 39 years old, married, have one son, and am in excellent health.

REFERENCES

- * References, as well as any other information you may request, will be furnished upon request.

RESUMÉ of
Herb J. Newton
2865 Camp Branch Road
Buford, GA 30615
770-814-8641 - phone
770-814-9445 - fax
HNewton498@aol.com

BUSINESS EXPERIENCE:

Present - HJN Telecom, Inc. - Duluth, GA

Founder and President. Recent startup operation.

Nov, 1988 - May, 1997 - Lenox Dodge, Inc. d/b/a Dodge Country - Duluth, GA

Founder and President. Chrysler asked me to purchase this dealership because of my previous experience in turnaround situations. Within a year, this dealership was one of the largest Dodge dealerships in the Atlanta zone, and was one of the largest truck sales outlets. Our dealership's customer satisfaction ratings were always among the top in the zone. Dodge Country was purchased by a public company in May, 1997.

1987 - 1988 - Tampa Bay Toyota, Inc. - Pinellas Park, FL

Founder and President. This Toyota store became the number one Toyota store in the region within a matter of months of our opening this facility. Tampa Bay Toyota was purchased by employees of a major dealer chain out of Baltimore.

1986 - 1987 - Atlanta Toyota, Inc. - Duluth, GA

Founder and President. This was a brand new facility that I built from the ground up, having been awarded this, the first new Toyota point in the Southeast in several years. This store was the number one Toyota sales and service facility in the metro-Atlanta area its first month in business, and was also a leader in the southeast region in Customer Satisfaction as well. Atlanta Toyota was purchased from me by the same mega-dealer from Washington, DC that purchased Carolina Toyota.

1983 - 1991 - Atlanta Advertising & Marketing, Inc. - Duluth, GA

Founder and President. This national advertising agency specializes in direct mail campaigns, primarily in the automotive, computer, and technology industries. The General Manager of the agency bought out my ownership interest, and I am still in contact with this firm to this day.

1981 - 1986 - Carolina Toyota - Asheville Highway - Hendersonville, NC

Founder and President. Under my aggressive leadership, this dealership went from selling 200 cars a year to over 9,000 cars a year in just 3 years. Carolina Toyota was the number 1 truck center in the nation, and the number 2 used car retailer in the nation. Again, our customer satisfaction scores always placed us in the top rankings. Carolina Toyota was purchased from me by a mega-dealer from Washington, DC.

Other - I have also been a major investor in other projects through the years in many different areas, including transportation, construction, and investments.

REFERENCES.

Tim Ramsey - attorney - 1800 Peachtree Street #615 - Atlanta, GA

Wayne Phears - attorney - 4725 Peachtree Corners Circle - Norcross, GA

Ron Cate - CPA - 300 Gay Street #800 - Knoxville, TN

Bradley Clapp - CPA - 1588 Macy Lane - Lawrenceville, GA

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LANCE J. M. STEINHART
ATTORNEY AT LAW
770-232-9200
6455 EAST JOHNS CROSSING, SUITE 285
DULUTH, GA 30155-1553

2025

\$250.00
cover the cost

Pay to the Order of Florida Public Service Commission \$ 250.00

Two hundred and fifty dollars & 00/100

NationsBank

NationsBank, N.A.
Georgia

For HJN Com/PL

DOCUMENT NUMBER-DATE
00412 JAN 11 99
FPCO-RECORDS/REPORTING