

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

DIVISION OF TELECOMMUNICATIONS
BUREAU OF CERTIFICATION AND SERVICE EVALUATION

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

020342-TX

Instructions

- This form is used as an application for an original certificate and for approval of the assignment or transfer of an existing certificate. In the case of an assignment or transfer, the information provided shall be for the assignee or transferee (See Appendix A).
- ◆ Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.
- ◆ Use a separate sheet for each answer which will not fit the allotted space.
- ◆ Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of **\$250.00** to:

Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850)413-6770

- ◆ If you have questions about completing the form, contact:

Florida Public Service Commission
Division of Telecommunications
Bureau of Certification and Service Evaluation
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850)413-6600

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

Original certificate (new company).

Approval of transfer of existing certificate: Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority.

Approval of assignment of existing certificate: Example, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.

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

2. Name of company:

OCMC, Inc.

3. Name under which the applicant will be business (fictitious name, etc.):

One Call Communications, Inc. and Opticom

4. Official mailing address (including street name & number, post office box, city, state, zip code):

801 Congressional Blvd.

Carmel, IN 46032

5. Florida address (including street name & number, post office box, city, state, zip code):

OCMC, Inc.

c/o CT Corporation System

1200 South Pine Island Road

Plantation, Florida 3324

6. Structure of organization

- Individual Corporation
 Foreign Corporation Foreign Partnership
 General Partnership Limited Partnership
 Other _____

7. If individual, provide:

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ Fax No.: _____

Internet E-Mail Address: _____

Internet Website Address: _____

8. If incorporated in Florida, provide proof of authority to operate in Florida:

- (a) The Florida Secretary of State corporate registration number:

9. If foreign corporation, provide proof of authority to operate in Florida:

- (a) The Florida Secretary of State corporate registration number:

F02000001175 _____

10. If using fictitious name-d/b/a, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:

- (a) The Florida Secretary of State fictitious name registration number:

11. If a limited liability partnership, provide proof of registration to operate in Florida:

(a) The Florida Secretary of State registration number:

12. If a partnership, provide name, title and address of all partners and a copy of the partnership agreement.

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ Fax No.: _____

Internet E-Mail Address: _____

Internet Website Address: _____

13. If a foreign limited partnership, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) The Florida registration number: _____

14. Provide F.E.I. Number (if applicable): 26 000 5926

15. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. Provide explanation.

No

(b) an 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.

No

16. Who will serve as liaison to the Commission with regard to the following?

(a) The application:

Name: Norman H. Horton, Jr.

Title: Attorney

Firm Name: Messer, Caparello & Self, P.A.

Address: P.O. Box 1876

City/State/Zip: Tallahassee, Florida, 32302-1876

Telephone No.: 850-222-0720 Fax No.: 850-224-4359

Internet E-Mail Address: nhorton@lawfla.com

Internet Website Address: lawfla.com

(b) Official point of contact for the ongoing operations of the company:

Name: Ann C. Bernard

Title: General Counsel

Address: 801 Congressional Blvd.

City/State/Zip: Carmel, IN 46032

Telephone No.: 317-580-7276 Fax No.: 317-580-7471

Internet E-Mail Address: abernard@onecall.net

Internet Website Address: none

(c) Complaints/Inquiries from customers:

Name: Martha Miller

Title: Customer Service Manager

Address: 801 Congressional Blvd.

City/State/Zip: Carmel, IN 46032

Telephone No.: 317-843-1300 Fax No.: 800-732-9622

Internet E-Mail Address: mmiller@onecall.ent

Internet Website Address: none

17. List the states in which the applicant:

(a) has operated as an alternative local exchange company.

None

(b) has applications pending to be certificated as an alternative local exchange company.

Connecticut, North Carolina and Indiana

(c) is certificated to operate as an alternative local exchange company.

None

(d) has been denied authority to operate as an alternative local exchange company and the circumstances involved.

None

(e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

None

- (f) has been involved in civil court proceedings with an interexchange carriers, local exchange company or other telecommunications entity, and the circumstances involved.

None

18. Submit the following:

A. Financial capability.

The application **should contain** the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer affirming that the financial statements are true and correct and should include:

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

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.*

Further, the following (which includes supporting documentation) should be provided:

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

- B. Managerial capability: give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.
- C. Technical capability: give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

See attached.

THIS PAGE MUST BE COMPLETED AND SIGNED

APPLICANT ACKNOWLEDGMENT 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 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:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

UTILITY OFFICIAL:

Ann C. Bernard

Print Name

Signature Ann C. Bernard

General Counsel

Title

Date 3-15-02

317-580-7270

Telephone No.

Fax No.

317 580-7471

Address: 801 Congressional Blvd
Carmel, IN 46032

THIS PAGE MUST BE COMPLETED AND SIGNED

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 company 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."

UTILITY OFFICIAL:

Ann C. Bernard

Print Name

Signature Ann C. Bernard

General Counsel

Title

Date 3-15-02

317-580-7276

Telephone No.

Fax No.

317-580-7471

Address: 801 Congressional Blvd
Carmel, IN 46032

INTRASTATE NETWORK (if available)

Chapter 25-24.825 (5), Florida Administrative Code, requires the company to make available to staff the alternative local exchange service areas only upon request.

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

1) _____ 2) _____

3) _____ 4) _____

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

1) _____ 2) _____

3) _____ 4) _____

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

POP-to-POP

OWNERSHIP

1) _____

2) _____

3) _____

4) _____

CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT

I, (Name)
(Title) _____ of (Name of Company) -

and current holder of Florida Public Service Commission Certificate Number #
_____, have reviewed this application and join in the petitioner's request for a:

- () sale
- () transfer
- () assignment

of the above-mentioned certificate.

UTILITY OFFICIAL:

Print Name

Signature

Title

Date

Telephone No.

Fax No.

Address:

Attachment for No. 18

OCCMC, Inc. d/b/a Opticom is led by a management team with extensive experience in the telecommunications industry in all areas of management and operations. As a group, the Directors and Officers of OCCMC, Inc. have over 70 combined years of experience in the telecommunications industry in sales and marketing, engineering, management, financial and other areas.

The network technicians and systems specialists hold a multitude of degrees and certificates and are required to attend and pass numerous industry related courses, seminars and training classes specializing in the technical and engineering specifications on the standards of the industry architecture for the public switched phone network. In addition to switching and networking telephony curriculum, technicians and systems specialists attend courses and seminars pertaining to all forms and aspects of telecommunications, such as voice, data and video communications; voice, data and video processing; computer telephony programming and software interfacing; ordering and billing forums; and new, improved and upgraded technology introductions and deployments.

To complement the capable management and technical teams, the company has a proven financial ability as reflected on the enclosed financial statement. The company has sufficient managerial, technical and financial capabilities to provide services and meet the financial obligations of the company.

State of Florida



Department of State

I certify from the records of this office that OCMC, INC., is a corporation organized under the laws of Indiana, authorized to transact business in the State of Florida, qualified on March 6, 2002.

The document number of this corporation is F02000001175.

I further certify that said corporation has paid all fees due this office through December 31, 2002, and its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Eleventh day of April, 2002



CR2EO22 (1-99)

Katherine Harris

Katherine Harris
Secretary of State

OCMC, Inc.

President & CEO

Joseph A. Pence
801 Congressional Blvd.
Carmel, IN 46032
317-843-1300

Treasurer & CFO

Mark A. Speth
801 Congressional Blvd.
Carmel, IN 46032
317-843-1300

Secretary

Larry S. Wechter
801 Congressional Blvd.
Carmel, IN 46032
317-843-1300

Assistant Secretary

Ann C. Bernard
801 Congressional Blvd.
Carmel, IN 46032
317-843-1300

Directors

Ramon L. Humke
Kevin E. Sheehan
Joseph A. Pence
Larry S. Wechter

(All Directors located at the address below)

801 Congressional Blvd.
Carmel, IN 46032
317-843-1300

**OCMC, INC., d/b/a OPTICOM
DIRECTORS AND OFFICERS**

JOSEPH A. PENCE, PRESIDENT & CEO, Mr. Pence has specialized in the telecommunications industry for over twenty years. During Mr. Pence's employment with ALLTEL of Hudson, Ohio, he held various positions including Sales Manager, Traffic and Network Engineer and General Manager. Thereafter, Mr. Pence accepted the responsibility of General Manager of an alternative long distance company in Detroit, Michigan. Mr. Pence joined One Call Communications in 1986. Mr. Pence has held various positions since his employment with One Call Communications including Regional Manager, Vice President, Executive Vice President and currently holds the responsibility of President & CEO, all of which provide One Call's management, departments and divisions with the knowledge and direction essential for success of the company.

BRAD A. BENGE, EXECUTIVE VICE PRESIDENT, Mr. Bengé's telecommunications career began in 1982 with Allnet as a Marketing Representative. Other positions held at Allnet were Senior Account Representative, Sales Manager and Branch Manager. Before his tenure at One Call Communications, Mr. Bengé was also employed by MCI as a National Account Sales Representative and with Compucom as National Sales of Billing and Network Design. In 1989, Mr. Bengé was hired by One Call Communications as the Director of Retail Sales. He has held various positions with the company including Assistant Vice President of Sales and Marketing, Vice President of Sales and Marketing, Senior Vice President and is currently Executive Vice President. He also serves as a Board Member of the American Public Communications Council (APCC).

MARK A. SPETH, TREASURER & CHIEF FINANCIAL OFFICER, Mr. Speth is a 1981 graduate from Brigham Young University with a BS in Micro Biology and a minor in Business. In 1996 Mr. Speth received his MBA from the University of Indianapolis; he was top scholar and graduated with honors. Mr. Speth has eight years of experience in the Telecom industry and an additional eighteen years in Accounting and Information Systems.

ANN C. BERNARD, GENERAL COUNSEL & ASSISTANT SECRETARY, Ms. Bernard holds a Juris Doctorate from Indiana University (1987) and a Bachelors of Arts (cum laude) in History and Political Science from Butler University (1984). Ms. Bernard was admitted to practice before the United States Supreme Court, the 7th Circuit Court of Appeals, the Northern and Southern Districts of Indiana and the Indiana Supreme Court. Ms. Bernard has over six years' experience in the Telecom industry.

ROUNDELL L. HARRIS, JR., VICE PRESIDENT OF NETWORK OPERATIONS, Mr. Harris attended Ball State University from 1978 to 1979. He then attended Indiana Vocational Technical College and completed their two-year digital electronics course. Mr. Harris began his employment with One Call in August of 1986. Mr. Harris is certified on the Harris 20/20 switch, as well as DSC (now Alcatel switch) and the DEX switch. He has also attended schools on Sonet, ATM, access ordering and provisioning. Mr. Harris is in charge of all network, switches and facilities for One Call and for supervising the employees that work in these areas.

JOSEPH L. DURKEE, VICE PRESIDENT OF INFORMATION SERVICES, Mr. Durkee is a 1987 graduate of Indiana State University with a major in Electronics and Computer Technology. From 1987 to 1990 Mr. Durkee worked for the United Student Aid Funds and was responsible for developing and maintaining 'C' programs which processed student loan applications. Mr. Durkee has over twelve years' experience in the telecommunications industry. He was first employed with One Call Communications in 1990 as a Programmer and Analyst. Mr. Durkee then proceeded to a Project Manager for the operator services division. Mr. Durkee is presently Vice President of Information Services and is responsible for maintaining a staff of qualified professionals to create and maintain systems to bill and outclear long distance telephone calls.