

**APPLICATION FOR CERTIFICATE OF AUTHORITY
TO PROVIDE INTRASTATE TELECOMMUNICATIONS SERVICES**

Section 1. Company and Telecommunication [telecom] Service Information.

- a. Indicate the type of intrastate telecom services that Applicant wants to provide in Guam:

_____ Resold local exchange telecom services
_____ Facilities based local exchange telecom services
_____ Alternative operator services telecom services
_____ Non-customer owned pay telephone telecom services
_____ Other [Attach a complete description]

- b. The name, address, telephone number, facsimile number and e-mail address of Applicant.
- c. The d/b/a/ [doing business as] name if Applicant is doing business under a name different from that listed in 1(b) above.
- d. The name, address, telephone number, facsimile number and email address of Applicant's management contact.
- e. The name, address, telephone number, facsimile number and email address of Applicant's attorney and/or consultant.
- f. The name, address, telephone number, facsimile number and email address of Applicant's complaint contact person.
- g. What type of legal entity is Applicant:
- _____ Sole proprietorship
- _____ Partnership: ___ limited ___ general ___ Guam _____ Foreign
- _____ Limited Liability Company: ___ Guam _____ Foreign

_____ Corporation: ___ “S” ___ “C”

_____ Other, specify:

h. Include as Attachment 1:

- A copy of Applicant’s Certificate of Good Standing as a domestic or foreign corporation, LLC or other entity in Guam and in its state of organization, if other than Guam.
- A certified copy of Applicant's articles of organization.
- A list of the names of all owners, partners, limited liability company managers or corporation officers and directors [*specify*], including percentages of ownership of each listed person.

i. Include Applicant's Tariff as *Attachment 2*, which must contain the following information:

- Proposed rates and charges for each service offered.
- Terms and conditions applicable to provision of service.
- Deposits, advances and/or prepayments applicable to provision of services.
- The proposed fee that will be charged for returned checks.

j. Indicate if Applicant or any of its officers, directors, partners or managers have been or are currently involved in any formal or informal complaint proceedings pending before any state, territorial or federal regulatory commission, administrative agency or law enforcement agency. Describe in detail any such involvement, including the following:

- Jurisdiction in which Applicant has been or is involved in Proceedings.
- Detailed explanation of the substance of the complaints.
- Orders or rulings that resolved any and all complaints.

k. Indicate if Applicant or any of its officers, directors, partners or managers have been or are currently involved in any civil matter, judgments levied by any administrative or regulatory agency, or been convicted of any criminal acts within the last ten years. Describe in

detail any such judgments or convictions, including the jurisdiction involved, the reason for the investigation and/or judgment and a copy of the Court order, if applicable.

1. Indicate if Applicant or any of its affiliates, principals or major shareholders have declared bankruptcy or have had any bankruptcy, insolvency or similar proceedings initiated against them.
- m. Is Applicant willing to post a performance bond in an amount to be determined by PUC? ___ Yes ___ No. If the answer is no, clarify and explain Applicant's deposit policy in its tariff. Provide a detailed explanation of why Applicant's superior financial position limits risk to Guam customers.
- n. Submit a certification that legal notice of the Application has been published in form required by PUC rule in a newspaper of general circulation on Guam. The certificate must have a copy of the published notice attached. *Do not publish legal notice until advised to do so by PUC.*
- o. List the jurisdictions in which Applicant currently offers telecom services similar to those that it will or intends to offer in Guam, including a certified copy of any orders granting certificates of authority in those jurisdictions.

Section 2. Financial Information.

- a. Indicate if Applicant has financial statements for the two most recent Years. ___ Yes ___ No. If no, explain why and give the date on which Applicant began operations.

Include as *Attachment 3*, Applicant's financial information for the two most recent years [*including the current calendar or current year reporting period*], including a copy of its balance sheet, income statement, audit report [*if available*], retained earnings balance and all-related notes to the financial statements and information.

- b. Indicate if Applicant will rely on the financial resources of its parent company, if applicable.
- c. Applicant must provide the following information:

- Projected total revenue expected to be generated by the provision of telecom services to Guam customers for the first twelve months following certification.
 - Operating expenses expected to be incurred during the first twelve months of providing telecom services to Guam customers following certification.
 - Net book value [*original cost less accumulated depreciation*] of all Guam jurisdictional assets expected to be used in the provision of telecom service to Guam customers at the end of the first twelve months of operation.
 - If the projected fair value of the assets is different than the projected net book value, also provide the corresponding projected fair value amounts.
- d. Indicate if Applicant is aware of any pending or threatened litigation, which could have a material adverse impact on its financial ability to provide service in accordance with PUC rules and orders.

Section 3. Resold and/or Facilities Based Local Exchange Telecom Services.

- a. Indicate if Applicant has a resale agreement in operation.
- b. Include as *Attachment 4* a copy of Applicant's proposed quality of service standards.
- c. Indicate whether Applicant will provide all customers with E911 service and will coordinate with the incumbent local exchange carrier and emergency service providers to provide this service:
 Yes No.
- d. Indicate that Applicant's switch is able to provide equal access to facilities-based long-distance companies.
- e. Describe the managerial and technical resources, which support Applicant's assertion in Section 4(a) below. Such description should include a list of Applicant's management team, including technical qualifications, work experience and training; any affiliation between the management team and other telecom companies; a description of the transmission and switching facilities to be deployed for rendering service; and the interconnection and service arrangements, which

Applicant is seeking or has obtained from the incumbent local exchange carrier.

- f. Indicate how Applicant proposes to handle customer service orders, inquiries and complaints.

Section 4. Signature and Attestation.

By signing this application form, Applicant:

- a. Certifies that it possesses the requisite managerial qualifications, technical competence, and financial resources to provide the local exchange telecom services for which it is applying *[if applicable]*;
- b. Agrees to answer all questions posed by PUC or any authorized member of its staff, including regulatory consultants concerning the application and to permit PUC or any member of its staff, including regulatory consultants to inspect Applicant's books and records as part of the investigation into the application;
- c. Understands that the filing of the application does not by itself constitute authority to operate.
- d. Agrees to respond in writing within ten business days to all consumer complaints filed with PUC.
- e. Understands that if any portion of the application is found to be false or to contain material misrepresentations, any Certificate may be deemed null and void upon PUC Order.
- f. Certifies that Applicant, pursuant to its tariff, will not unjustly discriminate among and between consumers in the provision of intrastate telecom services on Guam.

Signature _____
Name of Signatory _____
Title _____
Date _____

Affidavit: *[Attach an affidavit signed by the above person, stating that the contents of the application are true, accurate and correct].*

**NOTICE OF APPLICATION FOR CERTIFICATE
OF AUTHORITY TO PROVIDE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES**

[*Enter Applicant's name*] (“Applicant”) has filed with the Guam Public Utilities Commission [PUC] an application for a Certificate of Authority to provide the following intrastate telecommunications services in Guam:

[Insert services for which certification is sought]

Applicant will be required by PUC to provide this service under the rates and charges and terms and conditions established by PUC.

The application, the report of PUC’s staff and any exceptions to the staff report filed by Applicant are available for inspection during regular business hours at PUC's office located at Suite 807 DNA Building, 238 Archbishop Flores St. Hagatna. PUC’s phone number is 671-472-1907.

Interested persons may file comments for the record regarding the Application. Comments, which must be received by PUC within fourteen days of this notice should be mailed or delivered to:

GUAM PUBLIC UTILITIES COMMISSION
Suite 807 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910

Applicant has the right to request a public hearing before PUC on its application. PUC will provide public notice of any such hearing.