



## APPLICATION FOR A CERTIFICATE OF TERRITORIAL AUTHORITY FOR COMMUNICATIONS SERVICE PROVIDERS

State Form 52648 (R7 / 11-19)  
INDIANA UTILITY REGULATORY COMMISSION

**Applicants are required to file electronically, in the Commission's Online Services Portal:**  
[ <https://iurc.portal.in.gov/> ]

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IC 8-1-32.5-6(a) states, "Except as provided in IC 8-1-32.5-6(c), before a communications service provider ("CSP") may offer communications service to its customers in Indiana, the CSP must apply to the Commission for a Certificate of Territorial Authority (CTA). A CSP that seeks a certificate under IC 8-1-32.5 shall submit an application on a form prescribed by the Commission..."

**This CTA application shall be considered the "form prescribed by the Commission" under IC 8-1-32.5-6.**

Definitions for terms used in this application appear in the Instructions attached as **Appendix A**. **Please review Appendix A before completing this form.**

**PLEASE NOTE:** Engaging in activities described in IC 8-1-32.3 is not necessarily the equivalent of offering "communications services", as that term is used in IC 8-1-32.5-3. Therefore, an entity engaging in activities described in IC 8-1-32.3 will not automatically be considered either:

- (1) a communications service provider, as that term is used in IC 8-1-32.5-4; or
- (2) a "facilities-based local exchange carrier," as that term is used in IC 8-1-32.5-5.

Consequently, engaging in one or more of the activities described in IC 8-1-32.3 will not automatically trigger the statutory provisions regarding filing, review, and/or approval of a CTA set forth in IC 8-1-32.5-6, 32.5-8, or elsewhere in IC 8-1-32.5.

**Applicants** are required to:

- Check the applicable box(es), on the next page, to identify the Type(s) of communications service they seek to offer in Indiana; and
- List each communications service they propose to offer in Indiana. The list of service(s) must be consistent with the box(es) checked and with the responses elsewhere in the application. Proposed services described herein must also be consistent with the Instructions and Definitions in Appendix A.

**NOTE: Applicants should not classify the same service as both a telecommunications service and an information service. This specifically applies to, but is not limited to, VoIP services or other "IP-enabled services."**

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: \_\_\_\_\_

*Check all that apply:*

TELECOMMUNICATIONS SERVICE AS DEFINED IN 47 U.S.C. 153

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Please list, on the lines above, each type of telecommunications service, including, but not necessarily limited to, facilities-based local exchange; bundled resale of local exchange; commercial mobile service; retail interexchange service (either facilities-based or resold); operator services; interconnected VoIP service or other internet protocol (“IP”) enabled services; switched access; special access; dedicated transport telecommunications services; or advanced services (please explain how it falls under this definition). “Telecommunications service” is defined in the instructions.*

INFORMATION SERVICE AS DEFINED IN 47 U.S.C. 153.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Please list, on the lines above, each type of information service, including, but not necessarily limited to, computer to computer VOIP; interconnected VoIP service or other internet protocol (“IP”) enabled services; mobile texting, data, or internet access service; broadband service; or advanced services (please explain how it falls under this definition). “Information service” is defined in the instructions.*

VIDEO SERVICE AS DEFINED IN IC 8-1-34-14.

\_\_\_\_\_  
\_\_\_\_\_

*Please list, on the lines above, any local franchises that are in place.*

**Note: A Video Service Provider that does not currently have a video franchise must apply for, and obtain, a state issued video franchise from this Commission, as specified in IC 8-1-34-16. The video franchise application form is available on the Commission’s website.**

**I. Applicant Contact Information**

*(All CSP CTA Applicants are required to complete this section.)*

A. Legal Name of Applicant: \_\_\_\_\_

B. Name(s) under which the company will be offering communications services in Indiana:  
*(Company names, including any “doing business as” names or aliases must be registered with Indiana Secretary of State)*

\_\_\_\_\_  
\_\_\_\_\_

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: \_\_\_\_\_

C. Company Address (number and street, city, state, and ZIP code): \_\_\_\_\_

Main Telephone Number: \_\_\_\_\_ FAX Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

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

D. Name, title, and other contact information of company's primary contact person for ongoing IURC communications with the company (including regulatory affairs and/or customer service personnel):

Name and Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ FAX Number: \_\_\_\_\_

Mailing Address (number and street, city, state, and ZIP code): \_\_\_\_\_

E-mail Address: \_\_\_\_\_

E. Name, title, and other contact information of attorney or other contact person for **this application**, if different from D. above:

Name and Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ FAX Number: \_\_\_\_\_

Mailing Address (number and street, city, state, and ZIP code): \_\_\_\_\_

E-mail Address: \_\_\_\_\_

\*Additional contact person(s) may be included as an attachment to the application.

F. Parent Company's Legal Name, Address, and Telephone Number (if applicable):

\_\_\_\_\_  
\_\_\_\_\_  
(CSPs that will only offer a service(s) described in IC 8-1-2.6-1.1 are not required to provide their parent company information. See IC 8-1-32.5-6(e).)

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: \_\_\_\_\_

**II. Service Information**  
(Add additional sheets if necessary.)

In Indiana, will Applicant **ONLY** offer communications services described in IC 8-1-2.6-1.1?

Check one:     YES     NO

If you checked the “Yes” box, please list the specific communications services, as described in IC 8-1-2.6-1.1, the Applicant proposes to offer<sup>1</sup>:

\_\_\_\_\_  
\_\_\_\_\_

**PLEASE NOTE:** Any communications services you list above that you believe are described in IC 8-1-2.6-1.1 must also be consistent with the applicable definition(s) for the same service(s) in Appendix A. Applicants that only offer service described in I.C. 8-1-2.6-1.1 are not required to complete Section II below.

Pursuant to I.C. 8-1-32.5-6(e), a CSP that is only offering a service(s) described in I.C. 8-1-2.6-1.1 is only required to report and certify the accuracy of some of the information requested in this form. Not all portions of the form are applicable to such a CSP. See **Appendix A**.

**APPLICANTS THAT ONLY OFFER SERVICE(S) DESCRIBED IN I.C. 8-1-2.6-1.1 ARE NOT REQUIRED TO COMPLETE SECTION II BELOW.<sup>2</sup>**

INSTRUCTIONS FOR II.A. AND II.B. The service area(s) you list in your response to II.B. must be either a subset of, or the same as, the geographic area(s) you list in your response to II.A. This means that any service area(s) listed in your response to II.B. must be within the boundaries of the geographic area(s) listed in your response to II.A.

A. Please describe the geographic area(s) for which the applicant seeks authority.

\_\_\_\_\_  
\_\_\_\_\_

B. Please provide a description of each service area in Indiana in which the applicant proposes to offer communications service (i.e., county, city, or town, or exchange).

\_\_\_\_\_  
\_\_\_\_\_

C. Please provide a description of each type of communications service that the provider proposes to offer in each of the service areas identified in II.B. The services listed should be consistent with the box(es) checked on Page 2 and the services listed on Page 2 or elsewhere in the application.

\_\_\_\_\_  
\_\_\_\_\_

<sup>1</sup> The following are examples of services that are not described in IC 8-1-2.6-1.1; if you offer these services, you are **not** eligible for the streamlined certification filing and review procedures under IC 8-1-32.5-6(e):

- (1) **Non**-retail IP enabled services (e.g., IP enabled services you provide on a wholesale, or provider-to-provider basis);
- (2) Video service, as defined in IC 8-1-34-14; and,
- (3) Local exchange and interexchange services.

<sup>2</sup> IC 8-1-32.5-6(e).

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: \_\_\_\_\_

D. For each type of service identified in II.C., please indicate whether the communications service will be offered only to residential customers, only to business customers, or to both residential and business customers.

\_\_\_\_\_  
\_\_\_\_\_

E. Please provide an estimated date of deployment (year and quarter) for each communications service identified under II.C. in each service area identified in II.B. The list of services should be complete and consistent with the boxes you checked on Page 2 and the services listed there or elsewhere in the application.

\_\_\_\_\_  
\_\_\_\_\_

F. Does the applicant seek authorization to offer facilities-based local exchange service?  Yes  No

G. Is applicant offering only wholesale communications services (to other providers), only retail communications services (including facilities-based and resold services), or both?

H. Will the applicant operate as a Local Cooperative Corporation pursuant to IC 8-1-17-3?  Yes  No  
(If yes, please submit three (3) original articles of incorporation as required by IC 8-1-17-5 et seq.<sup>3</sup>)

I. Please list other states in which applicant is authorized to provide communications services and the types of services offered.

\_\_\_\_\_  
\_\_\_\_\_

### III. Additional Requirements

**All CSP CTA Applicants** are required to fulfill these Part III requirements unless explicitly exempt under Indiana law or as otherwise noted herein and/or in Appendix A.

Applicant further represents that it will:

- Comply with Indiana law (including but not limited to Title 8 of the Indiana Code, IURC regulations (170 IAC §§ 1 & 7), and applicable current and future Orders of the IURC.)<sup>4</sup>
- Notify the Commission of any change in the legal name, address, control or status of the CTA, or service area (if applicable), type of communications service, etc., pursuant to IC 8-1-32.5-12, using the CSP Notice of Change Form prescribed by the Commission, which is available on the Commission's website. <https://www.in.gov/iurc/2400.htm>. Such notification of change shall be provided to the Commission at least thirty (30) days prior to the occurrence of the change.
- If applicable, file intrastate access tariffs, concurrences, and exceptions pursuant to the Commission's filing procedures and provide informational copies of interstate access tariffs in electronic format, when specified by the Commission.
- If applicable, provide the Commission with current and updated/corrected hyperlinks to the company's intrastate and interstate access tariffs, concurrences, and exceptions, consistent with the IURC's General Administrative Order (GAO) 1998-2.

<sup>3</sup> The Commission is required to provide notice of CTA applications of local cooperative corporations to each facilities-based local exchange carrier operating in territory contiguous to the area in which the cooperative corporation proposes to render telephone service pursuant to IC 8-1-17-5(d).

<sup>4</sup> Telecommunications Service Providers and Video Service Providers are subject to enforcement remedies per IC 8-1-29.5.

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: \_\_\_\_\_

#### IV. Attachments

**All CSP CTA Applicants (with no exceptions)** are required to submit the following additional information:

- A. A copy of the Applicant's Certificate of Authority from the Indiana Secretary of State (NOT a "business entity report"), authorizing the applicant to do business within the State of Indiana. (IC 8-1-32.5-6(b)(1)) (A tax statement or other tax-related documentation from the Indiana Department of Revenue **is not acceptable**.)
- Applicant shall include its Certificate of Authority from the Indiana Secretary of State for any "doing business as" names or aliases as well as its legal name.
  - Applicants that are units of a municipal government, or are owned by a municipal government entity, may submit their local authorizing ordinance in lieu of the Secretary of State Certificate of Authority.
- B. A statement signed under penalty of perjury by an officer or another person authorized to bind the applicant (*see attached affidavit, which is Part VI in the CTA Application.*). (IC 8-1-32.5-6(b)(3))

**All CSP CTA Applicants** are required to provide the following additional documentation, **except** those applicants that are, or will be, offering ONLY communications services described in IC 8-1-2.6-1.1.<sup>5</sup> Additional information regarding IC 8-1-2.6-1.1 appears in Appendix A.

- C. Information demonstrating the financial<sup>6</sup>, managerial and technical ability to provide each communication service identified in the application.
- The applicant's most recent financial statement or balance sheet or that of the parent company if separate Indiana operations have not yet been established. Applicants that are municipalities may submit their local budget. (IC 8-1-32.5-6(b)(2).
  - Biographies of the applicant's corporate officers responsible for Indiana indicating managerial and technical qualifications. (IC 8-1-32.5-6(b)(2).

Although an evidentiary hearing before the Commission is not required, the Commission shall hold an evidentiary hearing, if one is requested pursuant to IC 8-1-32.5-9(a).

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<sup>5</sup> See, IC 8-1-32.5-6(e).

<sup>6</sup> If the applicant believes that financial or other information required to be submitted with the CTA Application is exempt from public disclosure under IC 5-14-3, the applicant should follow the procedures in 170 IAC 1-1.1-4 and Appendix A regarding confidential information prior to submitting that information.

Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: \_\_\_\_\_

**V. Application Verification**

**All CSP CTA Applicants (with no exceptions)** are required to provide the following verification:

I, as an authorized corporate officer or person authorized to bind the company, affirm under the penalties of perjury that the above representations made in this application are true.

\_\_\_\_\_  
Signature and Date (*month, day, year*)

\_\_\_\_\_  
Name and Title (*printed or typed*)

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Cause Number: \_\_\_\_\_ (IURC use only)

Legal Name of Applicant: \_\_\_\_\_

**VI. AFFIDAVIT**

**All CSP CTA Applicants (with no exceptions)** are required to complete the affidavit shown below, as requested, below (See IC 8-1-32.5-6(b)(3)):

I, \_\_\_\_\_ (print name), as an authorized corporate officer or person authorized to bind \_\_\_\_\_ (company name), affirm under penalty of perjury that:

- a) Applicant has filed or will timely file with the Federal Communications Commission (“FCC”) all forms required by the FCC.
- b) Applicant agrees to comply with the Commission’s customer notification requirements per IC 8-1-32.5-6(b)(3)(B) and 8-1-32.5-11(b) (not applicable to “a provider of commercial mobile service”).
- c) Applicant (including providers of commercial mobile service<sup>7</sup>) agrees to update the information provided in the application on a regular basis pursuant to IC 8-1-32.5-12.
- d) Applicant agrees to notify the Commission when the applicant commences offering communications service in each service area identified in the application (Pursuant to IC 8-1-32.5-6(e), this requirement is not applicable to CSPs that only offer a service(s) described in IC 8-1-2.6-1.1.).
- e) Applicant agrees to pay any lawful rate or charge for switched and special access services required by:
  - applicable interconnection agreements; or
  - lawful tariffs or orders approved or issued by a regulatory body having jurisdiction.
- f) Applicant agrees to report, at the time requested by the Commission, information required under IC 8-1-2.6-13(c)(9) (not applicable to “a provider of commercial mobile service”).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date (month, day, year)

Subscribed and Sworn to before me, a Notary Public, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

My Commission Expires (month, day, year): \_\_\_\_\_

My State and County of Residence: \_\_\_\_\_

<sup>7</sup> There is an exception in IC 8-1-32.5-12(6) to the information that “a provider of commercial mobile service” must provide. This exception does not apply to the other subdivisions in IC 8-1-32.5-12.