

# 1 Cellular One

a Wireless One Network company

April 14, 1997

Ms. Blanco Bayo  
Director - Records and Reporting  
Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-085

970460-TX

RE: ALEC Certification Application.


Dear Ms. Bayo,

This letter in duplicate encloses an original and six copies of Wireless One Network L. P.'s Application for Authority to provide alternative local access service.

The required \$250.00 application fee is enclosed as Cellular One of Southwest Florida check number 001527.

Please return a receipted copy of the letter to the applicant.

Yours truly,



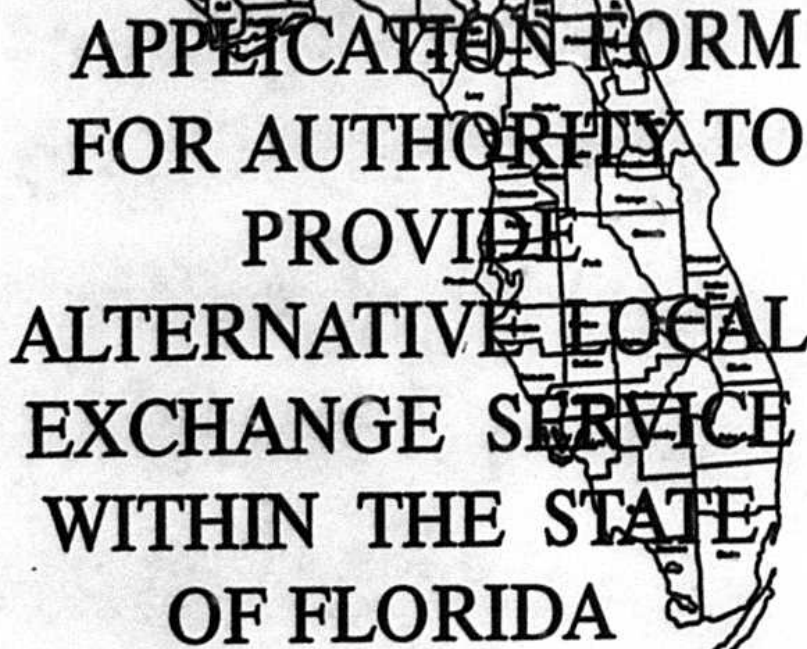
Francis J. Heaton  
Director of Planning and External Affairs

FJH/kdb

DOCUMENT-NUMBER-DATE

03812 APR 15 97

970460 - TX



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

DOCUMENT NUMBER-DATE

03812 APR 15 6

FPCC-RECORDS/REPORTING

**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**

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**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 Boulevard  
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):

(x) 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 authority.

( ) Approval of assignment of existing certificate (to a noncertificated 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:

Wireless One Network, L.P.

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

Wireless One Network (-for non wireline customers)  
Cellular One of Southwest Florida (-for wireline customers)

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

Fictitious name registration number: G97068900035 and  
G97088900016 SEE ATTACHMENT Q-4 Pgs. 1&2

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

2100 Electronics Lane, Fort Myers, Florida 33912 (941) 489-1600

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

2100 Electronics Lane, Fort Myers, Florida 33912 (941) 489-1600

FORM PSC/CMU 8 (11/95)

Required by Chapter 364.337 F.S.

6. Structure of organization:

- |  |   |
|--|---|
| <input type="checkbox"/> Individual          | <input type="checkbox"/> Corporation                    |
| <input type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership            |
| <input type="checkbox"/> General Partnership | <input checked="" 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.

See Attachment Q - 7

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: \_\_\_\_\_

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.

Francis J. Heaton, Director of External Affairs  
Wireless One Network

2100 Electronics Lane  
Fort Myers, Florida 33912  
FHEATO@WIRELESSONENET.COM  
(941) 489-1600, (941) 489-1622

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

NONE

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.

See Attachment Q - 14

15. Please complete and file a price list in accordance with Commission Rule 25-24.825. NOT ENCLOSED. TO BE PROVIDED BEFORE THE COMMENCEMENT OF 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. (See Attachment Q - 16A)

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.

See Attachment Q - 16A

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.

B. Managerial capability.

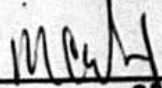
C. Technical capability.

(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, described in detail the difference.)

**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

April 14, 1997  
Date

Title: Michael C. Ward  
Vice President of W.O.N. Inc.  
Managing General Partner

(941) 489-1600  
Telephone Number

Address: 2100 Electronics Lane  
Fort Myers, Florida 33912  
\_\_\_\_\_





ATTACHMENT Q4 P.1 of 2

**FLORIDA DEPARTMENT OF STATE**  
Sandra B. Mortham  
Secretary of State

February 17, 1997

**CELLULAR ONE OF SOUTHWEST FLORIDA**  
2100 ELECTRONICS LANE  
FT MYERS, FL 33912

**Subject: CELLULAR ONE OF SOUTHWEST FLORIDA**  
**REGISTRATION NUMBER: G97048900035**

This will acknowledge the cancellation of CELLULAR ONE OF SOUTHWEST FLORIDA /G91224900023 and reregistration of the above fictitious name registration which was reregistered on February 17, 1997. This reregistration gives no rights to ownership of the name.

Each fictitious name registration must be renewed every five years between July 1 and December 31 of the expiration year to maintain registration. Three months prior to the expiration date a statement of renewal will be mailed.

**IT IS THE RESPONSIBILITY OF THE BUSINESS TO NOTIFY THIS OFFICE IN WRITING IF THEIR MAILING ADDRESS CHANGES.** Whenever corresponding please provide assigned Registration Number.

For information regarding fictitious names on file or to search the record call (904) 488-9000.

Should you have any questions regarding this matter you may contact our office at (904) 488-9000.

/ah  
Division of Corporations

Letter No. 297A00008417



**FLORIDA DEPARTMENT OF STATE**  
**Sandra B. Mortham**  
**Secretary of State**

March 25, 1997

**WIRELESS ONE NETWORK**  
**2100 ELECTRONICS LN**  
**FT MYERS, FL 33912**

**Subject: WIRELESS ONE NETWORK**

**REGISTRATION NUMBER: G97083000016**

This will acknowledge the filing of the above fictitious name registration which was registered on March 24, 1997. This registration gives no rights to ownership of the name.

Each fictitious name registration must be renewed every five years between July 1 and December 31 of the expiration year to maintain registration. Three months prior to the expiration date a statement of renewal will be mailed.

**IT IS THE RESPONSIBILITY OF THE BUSINESS TO NOTIFY THIS OFFICE IN WRITING IF THEIR MAILING ADDRESS CHANGES.** Whenever corresponding please provide assigned Registration Number.

Should you have any questions regarding this matter you may contact our office at (904) 487-6058.

Fictitious Name Section  
Division of Corporations

Letter No. 397A00015104

**ATTACHMENT Q-7**

**Q-7:** Please give name, title and address of each legal entity to the Limited Partnership.

**Reply:** **WIRELESS ONE NETWORK, L. P. is a Delaware Limited Partnership**

**WON, Inc. is the General Partner. It is a Delaware Corporation. Ownership of WON, Inc. is the same as Wireless One Network, L. P. James A. Dwyer, Jr. Is President of WON, Inc. David R. Winstel is Vice President and Secretary, Michael Ward is also Vice President**

**Limited Partners include:**

**David R. Winstel, 5611 Harborage Drive, (South) Fort Myers 33908**

**Quality Cellular Communications, Inc., which is wholly owned by James A. Dwyer, Jr., 3630 Estero Blvd., Fort Myers Beach, 33931**

**Madison Dearborn Capital Partners II, L. P.  
Three First National Plaza, Suite 1330  
Chicago, Illinois 60602**

**Providence Equity Partners II, L. P.  
50 Kennedy Plaza  
Providence, RI 02903**

**Toronto Dominion Capital  
31 West 52<sup>nd</sup> Street  
New York, NY 10019**

**Wireless One Network, L. P. is the 99.75% Owner and Limited Partner of Wireless One Holding Company, L. P. - a Delaware Limited Partnership holding FCC cellular and microwave licenses in Southwest Florida. WON, Inc. is the .25% Owner and General Partner of Wireless One Holding Company, L. P.**

**ATTACHMENT - Q 14**

**Q - 14:** Please indicate how a customer can file a service complaint with your company.

**Reply:** Existing wireless customers within our service area can dial 611 for 24 hour customer service. They can also call or visit any of our 13 local stores, (Arcadia, Clewiston, Golden Gate, Immokalee, La Belle, Lake Placid, Marco Island, Naples (2), Port Charlotte, Punta Gorda, Sebring or Wauchula), or call or visit headquarters at 2100 Electronics Lane, Fort Myers. All offices accept collect calls. The 4500 square foot Naples Main office and Electronic Lane office have 800 numbers for customer convenience.

Customers also have an 800 number voice mail line, monitored by management to address any issue(s) not resolved to their satisfaction by operations personnel or management.

We have an Internet web-page with regular updates for customers inviting questions or comments (complaints) from customers, and we always solicit comment cards from new customers within their first 3 months of service.

**ATTACHMENT Q-16 A**

**Q-16A:** Please provide documentation demonstrating applicant has financial capability to provide alternative local exchange service in Florida.

**REPLY:** Applicant is the "A" side cellular licensee in Charlotte, Collier, DeSoto, Glades, Hendry, Hardee and Highlands Counties.

Operating since 1990, the applicant has attained substantial monthly revenue and positive cash flow.

As an unregulated wireless provider subject to competition from at least 5 other unregulated wireless carriers we request confidential treatment of any balance sheet, income statements or statement of retained earnings we provide.

Applicant recently completed a reorganization of ownership wherein the Management of the applicant remained the same.

We anticipate a very gradual start-up of alternative local exchange service not to exceed 5% of revenues in the first year, nor an additional 5% annually during the next three years.

The cash flow of the applicants current cellular operations is anticipated to be sufficient to finance our gradual emergence as an ALEC in the targeted Fort Myers LATA. If not, applicant has an available unused line of credit as outlined in the attached letter, Q-16A FL.

**TORONTO DOMINION SECURITIES (USA) INC.**31 West 52nd Street  
New York, N.Y. 10019-6101

Telephone No. (212)

(212) 468-0719

April 4, 1997

State of Florida Public Service Commission  
Division of Communications  
Capital Circle Office Center  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RE: Wireless One Network ("Wireless One")

To Whom It May Concern,

Toronto Dominion Bank is presently the Agent on Wireless One's existing \$140 million bank facility, which closed in January, 1997. We have had a relationship with Wireless One's management for the past four years as Agent on Independent Cellular Network's \$275 million bank financing. As such, we have continued to monitor Wireless One's financial and operating performance, and we have full confidence in their ability to effectively manage their existing cellular systems and any future acquisitions/investments.

As of March 31, 1997 \$125 million was outstanding under Wireless One's \$140 million revolver/term credit facility. As a result, \$15 million is unused and available subject to compliance with the terms and conditions of the credit agreement.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jessica Laxman', with a long horizontal line extending to the right.

Jessica Laxman  
Director  
Communications Finance

**ATTACHMENT O-16 B&C**

**Q-16:** Please provide documentation demonstrating applicant has the Managerial and Technical capabilities to provide alternative local exchange service.

**REPLY:** James A. Dwyer, Jr., President of Applicants Managing General Partner, has been prominent in wireless communications for nearly 3 decades. (He is immediate past Chairman of the Board of the Cellular Telephone Industry Association). His cellular management experience includes key start-up roles in top 30 markets, Indianapolis, Milwaukee, and also Los Angeles and more recently, general management of 17 MSA/RSA licensed markets transferred to 360° Communications 10/31/96.

Mr. Dwyer's General Management team from the divested 360° Communications markets is still intact. Said team assisted in the growth and management of operations more than three times the size of current operations.

Toronto Dominion Bank, a leading financial institution in the wireless field which coordinated financing of the reorganization, demonstrated confidence in our managerial capability by assuming an equity (partnership) position.

Applicant is the FCC licensed "A" side cellular operator in Charlotte, Collier, DeSoto, Glades, Hardee, Hendry and Highlands counties with its main telephone switching office (MTSO) a Northern Telecom DMX - 250 located at 2100 Electronics Lane, Fort Myers, Lee County. Applicant controls 6 FCC licensed microwave paths into Electronics Lane and has T3 (or DS3) connectivity to Sprint/Uniteds' (S/U) tandem office at 1520 Lee Street, Fort Myers, Florida. At this time Applicant also has 1 or more leased line T1 connections into its proprietary microwave network or MTSO from S/U on Beaumont Blvd., Bonita Springs, 113 Ventura Ave., Clewiston, 3825 Cleveland Ave., Fort Myers, 4661 Sunset, Golden Gate, 1st Ave. N. 3rd Street, Immokalee, 310 Bridge Street, La Belle, SR 951 Front Street, Marco Island, US 41 NE 102 Ave., North Naples, 3615 Thomasson Road, Naples(SE), 990 26th Ave. N., Naples (Moorings), 113 W. Olympia Ave., Punta Gorda, 790 S. Tamiami Drive, Port Charlotte, 11 Hickory Street, Arcadia, 21 North Lake Ave., Avon Park (a tandem office), 130 S. Ridgewood Drive, Sebring, and 124 N. 7th Street, Wauchula.

We are direct connected to three (3) major inter-exchange carriers in addition to our S/U interconnections.

**ATTACHMENT O - 16 A&B (continued)**

Applicant partner James A. Dwyer, Jr., was high bidder for the 1900 Mhz "F" block PCS license rights to Collier, Charlotte, Glades, Hendry and Lee Counties, and the integration of this prospective interest could dramatically increase our Lee County connectivity to S/U after obtaining the franchise rights to Lee County.

As the FCC authorized licensee, we have numerous technicians capable of providing and maintaining telecommunications service to the public.

For cellular service customers we now direct 911 call origination's to the response point indicated by authorities for the county of origin of the cellular call. We intend to ultimately comply with the FCC's 5 year mandate for pinpointing caller location within 125 meters, and its interim requirement for caller ID. There are no present discrete "911" fees for cellular callers. If we provide fixed station wireless service as an ALEC there would presently be no discrete "911" fee associated with the end user.



# 1 Cellular One

a Wireless One Network company

**RECEIVED**  
APR 15 1997

DEPOSIT SC-RECORDS/REPORTING  
DATE

D503 APR 16 1997

April 14, 1997

Ms. Blanco Bayo  
Director - Records and Reporting  
Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-085

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Yours truly,



Francis J. Heaton  
Director of Planning and External Affairs

FJH/kdb

97 APR 15 PM 3:29  
FALL GUY

RECEIVED & FILED

FPSC-BUREAU OF RECORDS