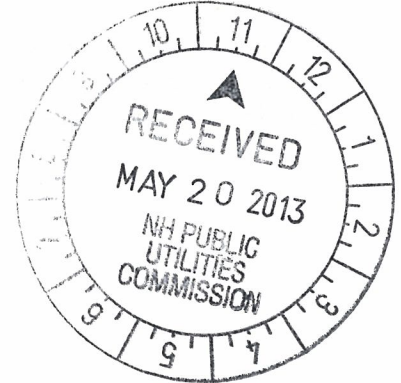


Jean L. Kiddoo  
Brett P. Ferenchak  
jean.kiddoo@bingham.com  
brett.ferenchak@bingham.com

May 17, 2013

**Via Overnight Courier and Email**

Debra A. Howland, Executive Director & Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301  
executive.director@puc.nh.gov



**Re: DT 13-141: TNCI Operating Company LLC CLEC and CTP Applications for Registration**

**RESPONSE TO STAFF REQUEST**

Dear Ms. Howland:

On behalf of TNCI Operating Company LLC (“TNCI-OpCo”), this letter responds to the letter dated May 13, 2013, from Michael D. Ladam regarding additional information needed to complete TNCI-OpCo’s Applications. In response, attached are replacement signature pages for NHPUC Form CLEC-10 and NHPUC Form CTP-10 that are notarized on the same page as the signature. In addition, TNCI-OpCo provides a Certificate of Status from the New Hampshire Secretary of State demonstrating that TNCI-OpCo is authorized to transact business in New Hampshire as a foreign limited liability company. TNCI-OpCo is unable to provide a “Certificate of Authority” from the Secretary of State because, as TNCI-OpCo understands it, such documents are not issued by the Secretary of State for foreign limited liability companies. The Certificate of Status along with the accepted Application for Registration as a Foreign Limited Liability Company attached to TNCI-OpCo’s Applications, therefore, satisfy the requirements of PUC 449.07(g) and PUC 402.47, which defines “Secretary of state certificate of authority” as “the Certificate of Legal Existence, Certificate of Authority, or other certification issued by the New Hampshire secretary of state which authorizes an entity to transact business in the state.”

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Debra A. Howland, Executive Director & Secretary

May 17, 2013

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An original and eight (8) copies of this letter and attachments are enclosed for filing. This filing is also being provided via email. Please date-stamp the enclosed extra copy and return it in the envelope provided. Please do not hesitate to contact the undersigned if you have any questions.

Respectfully submitted,



Jean L. Kiddoo

Brett P. Ferenchak

Counsel for TNCI Operating Company LLC

cc: Consumer Advocate

**REPLACEMENT SIGNATURE PAGE FOR NHPUC FORM CLEC-10**



**3. Service**

List the three primary telecommunications services the company will provide:

a. **Local Exchange**

b. **Interexchange**

c. **Private Line**

Identify the applicant's proposed service area:

State of New Hampshire

**4. Required Attachments**

- a. A copy of the New Hampshire Secretary of State Certificate of Authority
- b. Proof of Surety Bond, if applicable
- c. Form CLEC-1, Contact Information
- d. A copy of the CLEC's complete rate schedule
- e. A copy of Form CLEC -11, Adoption of Uniform Tariff, if applicable

**5. Compliance Statements**

I attest that the applicant will comply with all applicable New Hampshire laws and all Commission policies, rules and orders.   *JC*   (initial)[Puc 430.02]

I attest that the applicant has the necessary managerial qualifications, technical competence and financial resources to operate the CLEC for which the applicant seeks registration.   *JC*   (initial)

I attest that the applicant agrees to use with the Verizon New Hampshire rates for intraLATA switched access, as filed in Tariff 85, including future changes, or charge a lower rate. In the event the applicant believes a higher rate is justified, the applicant will file a separate petition with evidence supporting the higher rate.   *JC*   (initial)

**6. Signature**

I   *Jeff Compton*  , (name) declare under penalty of perjury that I am authorized to make this verification for and on behalf of the applicant; that I have read the information provided by the applicant in the foregoing document and any and all attachments, and am informed and believe the same are true, and on that ground, affirm that the matters stated herein are true.

  *JC*   Signed   *CEO/President*   Title

Subscribed and sworn before me this   *15<sup>th</sup>*   (day) of   *May*   (month) in the year   *2013*  

County of   *Suffolk*  

State of   *Massachusetts*  

  *[Signature]*    
Notary Public/Justice of the Peace  
My Commission expires   *6/28/13*

**REPLACEMENT SIGNATURE PAGE FOR NHPUC FORM CTP-10**



**3. Service**

List the three primary telecommunications services the company will provide:

- a. Local Exchange
- b. Interexchange
- c. Private Line

Identify the applicant's proposed service area:

State of New Hampshire

**4. Required Attachments**

- a. A copy of the New Hampshire Secretary of State Certificate of Authority
- b. Form CTP-1, Contact Information
- c. A copy of the CTP's complete rate schedule
- d. A copy of Form CTP -11, Adoption of Model Tariff, if applicable

**5. Compliance Statements**

I attest that the applicant will comply with all applicable New Hampshire laws and all Commission policies, rules and orders. JC (initial)[Puc 450.02]

I attest that the applicant has the necessary managerial qualifications, technical competence and financial resources to operate the CTP for which the applicant seeks registration. JC (initial)

**6. Signature**

I Jeff Compton, (name) declare under penalty of perjury that I am authorized to make this verification for and on behalf of the applicant; that I have read the information provided by the applicant in the foregoing document and any and all attachments, and am informed and believe the same are true, and on that ground, affirm that the matters stated herein are true.

[Signature] Signed CEO/President Title

Subscribed and sworn before me this 15<sup>th</sup> (day) of May (month) in the year 2013

County of Suffolk

State of Massachusetts

[Signature]  
Notary Public/Justice of the Peace  
My Commission expires 6/28/13

## **CERTIFICATE OF STATUS**

# State of New Hampshire Department of State

## CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that TNCI Operating Company LLC a(n) Delaware limited liability company registered to do business in New Hampshire on March 5, 2013. I further certify that it is in good standing as far as this office is concerned, having paid the fees required by law.



In TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Seal of the State of New Hampshire, this 17<sup>th</sup> day of May, A.D. 2013

A handwritten signature in cursive script, appearing to read "Wm Gardner".

William M. Gardner  
Secretary of State