

CITY OF PITTSBURGH  
INNOVATION & PERFORMANCE

LICENSE APPLICATION  
FOR  
TELECOMMUNICATIONS PROVIDERS

**DIRECTIONS: EACH WRITTEN RESPONSE SHOULD BE PRECEDED BY THE QUESTION AS STATED. SUBMIT TWO (2) COPIES OF YOUR RESPONSES ON 8-1/2" x 11" PAPER IN THREE RING BINDERS IN ADDITION TO ALL REQUIRED DOCUMENTS.**

**Note:** For purposes of all sections, "principal" means any person (including officers, directors, employees and other individuals) firm, corporation, subsidiary, joint venture or other entity, who or which has a legal or equitable interest in five percent (5%) or more of the voting stock of the proposed licensee, hereinafter referred to as Applicant.

**SECTION 1: OWNERSHIP AND CONTROL**

- 1.1 State the name, address and telephone number of Applicant.
- 1.2 Has Applicant or any of its principals ever been convicted of any felony or misdemeanor in any court of competent jurisdiction?  
If yes, provide specifics including date of offense, jurisdiction, exact charge, court in which proceedings held, verdict, penalty (sentence or fine including date of imposition and amount), and whether the fine has been paid and any appeals pending or concluded therefrom.
- 1.3 Is Applicant or any principal presently or ever has been a party to a civil proceeding involving the following:
- |   |                |
|---|----------------|
| a. Unfair or anticompetitive business practices   | ( ) yes ( ) no |
| b. Violations of securities law (state & federal) | ( ) yes ( ) no |
| c. False/misleading advertising                   | ( ) yes ( ) no |
| d. Violations of FCC regulations                  | ( ) yes ( ) no |
| e. Any actions in which a municipality is a party | ( ) yes ( ) no |
| f. Bankruptcy                                     | ( ) yes ( ) no |

If yes, provide specifics, including date of commencement of the proceeding, court or administrative agency in which it was commenced, the filing number designating the proceeding, the exact nature of the proceeding, the adjudication of the case, any subsequent appeals and

their status or disposition, any fines imposed and whether they have been paid, or any money judgments entered and whether they have been satisfied, or other judgments and the status of their satisfaction. For all proceedings in which a municipality is a party, attach copies of all proceedings in such case.

- 1.4 Has the Applicant or any principal ever provided any consideration to prosecute, support or in any way further litigation against a municipality, the United States Federal Communications Commission or the United States Federal Trade Commission? If "yes", provide specifics, including date of commencement on the proceeding, court or administrative agency in which it was commenced, the filing number designating the proceeding, the exact nature of the proceeding, the adjudication of the case, any appeals therefrom and their posture or disposition, any fines imposed and whether they have been paid, or any money judgments entered and whether they have been satisfied, or other judgments and the status of their satisfaction.
- 1.5 Has Applicant or any principal ever had a business license (defined to include FCC Licenses, alcoholic beverages and restaurant licenses, etc.) revoked, suspended or the renewal thereof denied or is a party to a proceeding that may result in same? If "yes", please provide specifics.
- 1.6 Has Applicant or any principal ever been disciplined, cited, or prosecuted and convicted of any violation of the Communications Act of 1934, as amended and supplemented, or any other federal law affecting communications or any regulations of the FCC promulgated pursuant to any of the former? If "yes", please provide specifics.
- 1.7 Check appropriate business format for Applicant
  - (i) Individually owned \_\_\_\_\_
  - (ii) Corporation \_\_\_\_\_
  - (iii) Subsidiary or affiliated corporation \_\_\_\_\_
  - (iv) Partnership \_\_\_\_\_
  - (v) Other (specify) \_\_\_\_\_
- 1.8 If Applicant is an individual, state name, trade name if any, address, telephone number, and electronic mail address.
- 1.9 If Applicant is a U.S. corporation, please designate the state(s) in which it is incorporated and registered to do business.

1.10 Explanation of "FAMILY TREE": Question 1.10 requests that Applicant provide a corporate "family tree," with itself at the center, in accordance with the following example

Level 3      Parent Parent      Parent Parent      Parent Parent

Level 2      Parent Parent      Parent Parent      Parent Parent

Level 1      Parent Corporation Parent Corporation Parent Corporation



Applicant (Level 0)

Level A      Subsidiary Corp.      Subsidiary Corp.      Subsidiary Corp.

Level B      Sub. Sub.      Sub. Sub.      Sub. Sub.

a. Applicant

Name	Address	City	State	Telephone

b. Level 1: Provide the indicated information for any corporation, business or other entity or individual that owns any of the stock of the entity named in Level 0.

For each corporation, business or other entity in the "Family Tree", indicate name and address of principal office. Reproduce this format as needed.

Name	Address	City	State	% Ownership Interest in Applicant	Type of business activity

- c. Level 2: Provide the indicated information for any corporation, business or other entity or individual that owns 10% or more of the voting stock of the entity or entities named in Level 1. In each case, indicate which entity in Level 1 is subsidiary of the entity named in Level 2:

Name	Address	City	State	% Ownership Interest in Applicant	Type of business activity

- d. Level 3: Provide the indicated information for any corporation, business or other entity or individual that owns 25% or more of the voting stock of the entity or entities named in Level 2. In each case, indicate which entity in Level 2 is the subsidiary of the entity named in Level 3:

Name	Address	City	State	% Ownership Interest in Applicant	Type of business activity

- e. Level A: If Applicant (Level 0) owns 5% or more of the voting stock of any corporation, business or other entity, provide the following information for each:

Name	Address	City	State	% Ownership Interest in Applicant	Type of business activity

- f. Level B: If the entity or entities named in Level A owns 20% or more of the voting stock of any corporation, business or other entity, provide the following information for each. In each case, indicate which entity in Level A is the parent of the entity named in Level B:

Name	Address	City	State	% Ownership Interest in Applicant	Type of business activity

1.11 Is Applicant a publicly held corporation as defined by the rules and regulations of the U.S. Securities and Exchange Commission?

( ) yes ( ) no

1.12 Applicant and any person, firm, corporation, subsidiary, joint venture or other entity, who or which owns directly five percent (5%) or more of the voting stock or any equivalent voting interest of a partnership or joint venture) of Applicant must attach financial statements for the three (3) previous fiscal years as follows:

a. Any entity that is a publicly held corporation must attach audited financial statement.

b. All other entities and individuals must attach financial statements, verified by sworn affidavit or the chief executive officer of the entity or of the individual submitting the financial statement.

1.13 If Applicant is a corporation, attach a copy of Applicant's corporate charter and bylaws certified as true and correct by the secretary of the corporation; if Applicant is a partnership, attach a copy of the partnership agreement or agreements certified as true and correct by one of the general partners; if Applicant is a joint venture, attach a copy of the agreement or agreements establishing the same and governing the conduct of the enterprise, certified as true and correct by the chief executive officer of an entity engaged in the joint venture.

1.14 State the name, title, address and telephone number of the individual or individuals authorized by Applicant on behalf of Applicant, to receive, execute and act upon any and all matters relating to the telecommunications-related work.

1.15 State the name, address, telephone number, and electronic mail address of counsel who represents Applicant.

1.16 Any entity stated in item 1.10(ii) Level I which owns 50% or more of the Applicant stated in item 1.10(i) Level 0 will be required to sign the license. State the name, title, address and telephone number of such entity.

## **SECTION 2: FINANCIAL DATA**

2.1 Specify each entity that is committed to advancing short-term and long-term financing of the Applicant sufficient to insure the availability of funds

to complete the construction of the telecommunications infrastructure or private communications system in accordance with the relevant provisions of the PITTSBURGH CODE OF ORDINANCES. Include name, address, telephone number and title of officer of each entity who has authorized the financing.

- 2.2 Based on the compensation for license provisions of Section 427.11(b) of the Pittsburgh Code, state the projected revenue to the City for the first year of the license and for each of the subsequent four annual renewal periods.

### **SECTION 3: SYSTEM DESIGN OF THE PROPOSED TELECOMMUNICATIONS-RELATED WORK**

- 3.1 Describe the entire design of the proposed telecommunications-related work with regard to both the short (one year) and long (five year) term.
- 3.2 Describe the services to be offered to customers located in the City, anticipated date(s) the services will be made available, and any future plans as known at the time of the application, or reasonably to be anticipated.
- 3.3 Attach detailed maps, indicating the location of the proposed system (cables, conduit, equipment, etc.) in City right-of-way, ownership of existing conduit/poles that will be used and the location of conduit to be installed by Applicant during the initial term of the license.
- 3.4 Describe in detail all interconnections of the telecommunications-related work with any communications system.
- 3.5 State the name, address, telephone, and facsimile number for all other telecommunications-related work or private communications systems similar to the proposed work for Pittsburgh, which are owned, constructed and/or operated by the Applicant or any of its principals which owns 50% or more of the Applicant.
- 3.6 State the name, title, address, and telephone number of a municipal contact person for each of the systems stated in item 3.5.

### **SECTION 4: CONSTRUCTION SCHEDULE**

- 4.1 State in detail where construction of the system will begin and when, and how it will be extended in each month of the initial term of the license.

- Indicate when each portion of the system will be activated and available to customers.
- 4.2 Detail any make-ready surveys you have performed and the relationship of make-ready work by utility companies and your ability to meet your proposed construction schedule.
  - 4.3 State name and address of person who will supervise construction of the proposed system. Attach a resume of the person's experience in the field of telecommunications construction supervision.
  - 4.4 State the name, address and telephone number of the contractors and subcontractors that will be used to build the proposed system.
  - 4.5 Attach copies of all conduit/pole attachment agreements you have executed with any entity owning conduit or poles located in City right-of-way that will be used in your proposed system.
  - 4.6 Provide pole profiles of all poles to which attachments are to be made in the public rights-of-way.
  - 4.7 Provide the City of Pittsburgh with Applicant's construction manual and/or construction guidelines governing all work to be performed in the public rights-of-way.
  - 4.8 State the name(s) of any pole occupants that have given Applicant permission to move or otherwise relocate (their) existing aerial plant in the public rights-of-way, e.g., to allow Applicant's attachment(s) to be in compliance with the National Electrical Safety Code, and any other applicable rules and regulations.