

Petition

Petition Information Required by All Companies filing for a CPCN

Please fill out petition, sign and submit.

Electronically file to Secretary@dps.state.ny.us .

Use company cover letter of petitioner or on behalf of petitioner.

1. Identification of applicant and principal business office:

Company Name	Energy Networks of NY, LLC
Street Address (P.O. Box is <i>not</i> acceptable)	144 Henry Street, Suite 10
City, State, Zip Code	Binghamton, NY 13901
President and Telephone/Fax	Dan English, 866 759-4678 x103
Other Officers and Telephone/Fax	N/A

2. All carriers are required to submit a Telecommunications Carrier Critical Information (TCCI) form to the Commission Secretary. An electronic version of this form is available at the following link:

[Telecommunications Carrier Critical Information Form.](#)

Check box confirming that a TCCI form will be submitted electronically after submission of this CPCN application.

3. A copy of the company's certificate of incorporation from the New York Department of State and, if not incorporated in New York State, a copy of the authority to transact business in New York State (foreign business authority). If not incorporated, include a list of the names, addresses, and telephone numbers of the company's owners. See Exhibit 1.

4. The company's Federal Social Security Account Number and/or Federal Employer Identification Number.

SS or ID	46-4264711
----------	------------

5. A general description of the services to be offered and how it would enhance competition in the area to be served.

Applicant will provide non-basic retail telecommunications services in Binghamton and the greater Binghamton area. Applicant will also be constructing a fiber optic network using utility poles, ducts/conduit, and by accessing rights of way. This network will provide advanced Internet services with speeds of up to 1 Gbps and voice over Internet protocol (“VoIP”).

6a. A Company providing [basic retail telecommunications services](#), switched access services, and /or wholesale services must file a tariff containing the rates, terms, and conditions of the services to be offered. Indicate whether the Company intends to provide any of the following types of services:

Check all applicable boxes.

- Basic Retail Services – Tariff Required**
- Switched Access Services – Tariff Required**
- Wholesale Services – Tariff Required**

6b. [Public Service Law §92-g](#) allows a Company providing non-basic retail services (i.e., any retail service not considered [basic](#)) to elect to post a Customer Service Guide on its website containing the rates, terms and conditions of their non-basic retail services, in lieu of filing a tariff for those services. Indicate if the Company intends to provide non-basic retail services and, if so, whether it elects to file a tariff or post a Customer Service Guide on its website.

- Check box if intending to provide non-basic retail services.**
 - Tariff To Be Provided**
 - OR**
 - Customer Service Guide Posted on Company Web Site (Provide Web Address or URL for Customer Service Guide below).**

_____ www.plexicomm.net/legal _____

7. If applying for authorization to provide local exchange service (residential and/or business dialtone) and intend to provide operator-assisted communications services direct routing of "0-" calls, including for emergency calls (by means of human or automated call intervention), a separate certification process is prescribed. Such companies need to provide additional information designed to demonstrate that they are qualified to handle emergency calls promptly and reliably, in accordance with the requirements of [section 649.16 NYCRR](#). Accordingly, indicate whether the company will have "0-" emergency calls processed by the ILEC or other "0-" certified operator services provider, or if it intends to file a subsequent petition for "0-" certification of its own.

- Check box if not applying to provide operator services.**
- Check box if company is applying and will provide operator services and submit a subsequent petition. .**

8. If applying for authorization to provide local exchange service

(residential and/or business dialtone), describe how your company will provide access to public safety/emergency telephone services, access to the statewide relay system and lifeline service. In addition, the applicant must comply with the requirements enumerated on pages 30-31 of the Commission's Order in [Case 95-C-0095](#), issued May 22, 1996. The Commission will entertain waivers of any of these specific requirements only on a case-by-case basis. Please describe briefly how the company plans to comply with these requirements. If you do not plan to provide local exchange services, please check the appropriate box.

- Check if not applying for local exchange service.
- Check if applying and fill in the box below or provide description on EXHIBIT attachment.

In providing VoIP to the public over its fiber network, Applicant will provide access to public safety/emergency telephone services through a third party 911 vendor.

9. Indicate whether the company ever acquired a customer or has been the subject of a complaint and/or investigation for unauthorized switching of a customer from another company. **If so, please provide an explanation below.**

Applicant has never ever acquired a customer or has been the subject of a complaint and/or investigation for unauthorized switching of a customer from another company.

10. If applying for authorization to provide local exchange service (residential and/or business dialtone), include an intraLATA presubscription implementation plan.

- Check box if not applying. If applying provide plan on EXHIBIT attachment.

Additional Information Required by Companies applying as Facilities-Based Provider. *If requesting authority to offer Facilities-Based Services in the future companies should describe how they will undertake to comply with the Commission requirements prior to providing facilities based services. Facilities may be purchased or leased from other New York certified carriers, or companies may provide new construction.*

11. If applying for authorization to provide facilities based local exchange services (residential and/or business dialtone), the company is expected to comply with the Commission's Network Reliability Orders issued in [Case 03-C-0922](#) - Proceeding on Motion of the Commission to Examine Telephone Network Reliability. One Order, issued July 28, 2004, addressed such items as Telecommunications Service Priority (TSP) rates and procedures, dual cable entrance facilities and a show cause requirement concerning route diversity and a new service, Critical Facilities Administration Service. A second order, re-addressing Telephone Network Reliability, was issued on *June 15, 2005*. The application should describe how the company will undertake to comply with these Commission requirements. If you do not plan to provide facilities based local exchange services, please state so.

<input type="checkbox"/>	Check box if not applying for facilities based services.
<input checked="" type="checkbox"/>	Check box if applying for future authorization to provide facilities based local exchange services. See Exhibit 2.
<input type="checkbox"/>	Check box if applying and describe how it will comply with Commission requirements on EXHIBIT attachment.

12. If providing new construction include a description of the plant and system to be constructed and the anticipated construction schedule.

<input checked="" type="checkbox"/>	Check box if "NA" or provide EXHIBIT attachment. See Exhibit 3.
-------------------------------------	---

13. I, Dan English, do hereby affirm that the contents of this document are true to the best of my knowledge.

Signed: Dan English (e-signature)

Date: 12/9/14

Title & Company:	President Energy Networks of NY, LLC
------------------	---