

Application for Switch Approval

General Information and Instructions

Preparation and Use:

This application is used to apply for authority to operate a switch in Nebraska. If certain portion(s) of the questions are not applicable, so state. Federally chartered financial institutions authorized to conduct switching activities need not complete this application to be a switch, but should complete a Notice of Switch Approval for a Federally Chartered Financial Institution. That form is available at www.ndbf.ne.gov or by contacting the Department. This application is not required for ordinary clearing house transactions.

For purposes of this application, switch is defined as the processing and/or storage of funds transfer information, including instructions originating from an automatic teller machine (ATM) or point of sale terminal (POS) and transmitted to another switch, a financial institution, or data processing center. Switch is defined statutorily in Neb. Rev. Stat. § 8-101(14) and § 8-157.01 of the Nebraska Banking Act. Nebraska statutes may be viewed at www.nebraskalegislature.gov.

The questions in this application are not intended to limit the Applicant's presentation nor are the questions intended to duplicate information supplied on another form or in an exhibit. When information has been presented in another form or in an exhibit, a cross reference to the information is acceptable. Cross references must be made to a specific section or location in any attached documents or answers. Supporting information of all relevant factors, setting forth the basis for Applicant's conclusions, should accompany the application. The Department may request additional information.

Confidentiality:

Any Applicant desiring confidential treatment of specific portions of the application must submit a request in writing with the application. The request must discuss the justification for the requested treatment. The Applicant's reason for requesting confidentiality should specifically demonstrate the harm (for example, loss of competitive position, invasion of privacy) that would result from public release of information. The criteria used in determining the confidentiality of an application item filed with this Department is Neb. Rev. Stat. § 84-712.05(3). Unless an item merits protection, it will be considered part of a public record.

Information for which confidential treatment is requested should be: (1) specifically identified in the public portion of the application (by reference to the confidential section); (2) separately bound; and (3) labeled "Confidential."

STATE OF NEBRASKA
Department of Banking & Finance

Application for Switch Approval

Name of Applicant Seeking Switch Approval:

Name

Street

City

State

Zip Code

Applicant's Web Site Address

Contact Person for Applicant:

Name

Street

City

State

Zip Code

E-mail Address

Telephone Number

Fax Number

Any entity wanting to provide switch services must receive approval from the Director of the Nebraska Department of Banking and Finance. If the Director's decision on the application is challenged, the Department's Hearing Rules are found at Title 49 of the Nebraska Administrative Code. For the rules, see www.ndbf.ne.gov/legal/title49.shtml.

Application for Switch Approval

1. OVERVIEW:

- (a) Provide a description of the Applicant's business model.
- (b) Provide a statement as to the switch's ability to operate in a non-discriminatory manner, in which any Nebraskan with the appropriate access device shall be allowed such service.
- (c) Provide a statement as to the switch's ability to operate in a non-discriminatory manner, whereby costs of services are assessed on a non-discriminatory basis.

2. APPLICANT:

- (a) What was the date of Applicant's last Federal Financial Institutions Examination Council examination?
- (b) If the examination date is more than two years old, provide Applicant's current financial statement.
- (c) Describe the experience of Applicant in switching activities.
- (d) Provide a copy of all (current, pending or past) regulatory actions regarding Applicant or predecessor to Applicant for the past 10 years.

3. MANAGEMENT:

- (a) Provide a list of Applicant's Senior Management.
- (b) Provide a list of all (current, pending or past) regulatory actions regarding Senior Management.
- (c) Explain the relevant switching experience of Senior Management.

4. SERVICE LEVEL AGREEMENT:

- (a) Describe the service(s) offered.
- (b) Provide copies of the switch's standard logo, signage, and screen or paper notice of any surcharge.

5. SECURITY:

- (a) Describe the ability of the switch to intervene in the payment process and stop unauthorized activity.

APPLICATION

- (a) The Department may contact the Applicant for follow-up information regarding this switch application.
- (b) The Department may contact the Applicant for follow-up information regarding its business design and operation in the future.

APPLICATION FOR SWITCH APPROVAL - CERTIFICATION

In support of this Application for Switch Approval, I make the following statements and representations and submit the following information upon the several factors enumerated in State and/or Federal statutes for the purpose of inducing the Director of the Nebraska Department of Banking and Finance to approve the Switch application.

Name of Applicant: _____

THE UNDERSIGNED HEREBY CERTIFIES that the statements contained herein are true to my best knowledge and belief, and that they are made for the purpose of inducing the Director of the Nebraska Department of Banking and Finance to grant switch rights and privileges.

Signature

Print Signatory's Name and Title

Date

State of _____

County of _____

_____ appeared before me and signed this Application for Switch Approval – Certification.

Dated this _____ day of _____, 20____.

Notary Public

My Commission expires _____.

Notary Stamp