

ORIGINAL 39

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September 11, 1996

VIA FEDERAL EXPRESS

Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

961105-TX

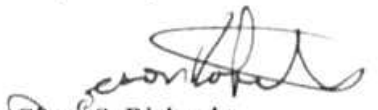
Re: Easy Cellular, Inc.
Application for Authority to Provide Alternative Local Exchange Service

Dear Sir or Madam:

Transmitted herewith on behalf of Easy Cellular, Inc., are an original and six copies of its Application for Authority to Provide Alternative Local Exchange Service within the state of Florida. We have also attached a copy of Easy Cellular, Inc.'s proposed tariff. Enclosed is a \$250.00 check to cover the requisite filing fee.

Please date-stamp the "Receipt" copy of this filing and return it in the enclosed, self-addressed, stamped envelope. Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,


Glenn S. Richards
Jason S. Roberts
Counsel for Easy Cellular, Inc.

96 SEP 12 11 3:43
FALLING

Enclosures

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Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit.

initials of person who received check. DATE

A.F.

09745 SEP 13 1996

FPSC-RECORDS/REPORTING

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

DOCUMENT NUMBER-DATE

09745 SEP 13 88

FPSC-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**

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):
- 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:
Easy Cellular, Inc.
3. A. National mailing address including street name, number, post office box, city, state, zip code, and phone number.
8625 West Sahara Ave.
Las Vegas, NV 89117
(702) 228-7437
- B. Florida mailing address including street name, number, post office box, city, state, zip code, and phone number.
CT Corporation System
1200 South Pine Island Road
Plantation, Florida 33324
- C. Physical address of alternative local exchange service in Florida including street name, number, post office box, city, zip code and phone number.
N/A.

4. Structure of organization:

- | | |
|---|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation |
| <input checked="" type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Joint Venture | <input type="checkbox"/> Other, Please explain _____ |

5. If incorporated, please provide proof from the Florida Secretary of State that the applicant has authority to operate in Florida.

Corporate charter number: _____

Applicant has filed with the Florida Secretary of State request for a certificate authority to do business in the State of Florida. A copy of the certificate will be provided to the Commission as soon as it is available.

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

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

Fictitious name registration number: _____

8. If applicant is an individual, partnership, or joint venture, please give name, title and address of each legal entity.

9. 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.
None.

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.

Ms. Lorinda C. Bucchieri
Vice President / Secretary / Treasurer
Easy Cellular, Inc.
8625 West Sahara Ave.
Las Vegas, NV 89117
(702) 228-7437

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

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.
Customers can either call the Company's toll-free telephone number or write the Company directly.

15. Please provide all available documentation demonstrating that the applicant has the following capabilities to provide alternative local exchange service in Florida.

A. Financial capability. See Exhibit I.

Regarding the showing of financial capability, the following applies:

The application should contain the applicant's financial statements, including:

1. the balance sheet
2. income statement
3. statement of retained earnings for the most recent 3 years.

Easy Cellular, Inc. was not incorporated until March 22, 1996, but the attached financials reflect the most current information available.

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 affirm that the financial statements are true and correct.

Pursuant to Section 364.337(1)(3) and 364.339(2), Florida Statutes, effective July 1, 1995, the documents attached as **Exhibit I** demonstrate that Easy Cellular, Inc. has the financial ability to:

- (1) Provide the requested service in the geographic area proposed to be served;
- (2) Maintain the requested service; and
- (3) Meet its ownership obligations.

- B. Managerial capability.
See Exhibit II.
- C. Technical capability.
See Exhibit III.

EXHIBIT I

BALANCE SHEET

INCOME STATEMENT

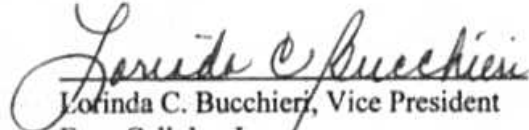
STATEMENT OF RETAINED EARNINGS FOR 3 YEARS

Pursuant to Section 364.337(1)(3) and 364.339(2), Florida Statutes, effective July 1, 1995, the documents attached hereto demonstrate that Easy Cellular, Inc. has the financial ability to:

- (1) Provide the requested service in the geographic area proposed to be served;
- (2) Maintain the requested service; and
- (3) Meet its ownership obligations.

VERIFICATION

I, Lorinda C. Bucchieri, Vice President of Easy Cellular, Inc., do hereby certify under the penalty of perjury that the attached financial statements of Easy Cellular, Inc. are true and correct to the best of my information, knowledge and belief.


Lorinda C. Bucchieri, Vice President
Easy Cellular, Inc.

Date: 8/30/96

EASY CELLULAR, INC.
(A DEVELOPMENT STAGE COMPANY)
FINANCIAL STATEMENTS
JUNE 20, 1996

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To the Board of Directors and Stockholders
of Easy Cellular, Inc.
Las Vegas, Nevada

I have audited the accompanying balance sheet of Easy Cellular, Inc. (a development stage company) as of June 20, 1996 and the related statements of income, cash flows and changes in stockholders' equity for the period from March 22, 1996 (date of inception) to June 20, 1996. These financial statements are the responsibility of Easy Cellular, Inc.'s management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with generally accepted auditing standards. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit of the financial statements provide a reasonable basis for my opinion.

In my opinion, the accompanying financial statements present fairly, in all material respects, the financial position of Easy Cellular, Inc. as of June 20, 1996 and the results of operations and cash flows for the period then ended in conformity with generally accepted accounting principles.

David E. Coffey C.P.A.
June 25, 1996

EASY CELLULAR, INC.
 (A DEVELOPMENT STAGE COMPANY)
 BALANCE SHEET
 JUNE 20, 1996

ASSETS

Cash	\$ 98,977
Organizational costs less accumulated amortization of \$259	4,911 28,600
Deposits	1,676
Improvements and equipment	-----
Total Assets	\$ 134,164 =====

LIABILITIES & STOCKHOLDERS' EQUITY

LIABILITIES

Notes payable to stockholders	\$ 19,715
Accrued interest	166 -----
Total Liabilities	19,881

Stockholders' Equity

Common stock, authorized 25,000,000 shares at \$.001 par value, issued and outstanding 5,000,000 shares	5,000 113,885
Additional paid-in capital	
Deficit accumulated during the development stage	(4,602) -----
Total Stockholders' Equity	114,283

Total Liabilities and Stockholders' Equity	\$ 134,164 =====
--	---------------------

The accompanying notes are an intergral part of these financial statements.

EASY CELLULAR, INC.
 (A DEVELOPMENT STAGE COMPANY)
 STATEMENT OF OPERATIONS AND DEFICIT
 ACCUMULATED DURING THE DEVELOPMENT STAGE
 FOR PERIOD ENDED FROM March 22, 1996
 To June 20, 1996

Income	\$	0 -----
Expenses		
Amortization		259
Bank charges		345
Interest		166
Office expenses		116
Rent		2,545
Taxes and licenses		503
Travel		668 -----
Total expenses		4,602
Net loss		(4,602)
Retained earnings, beginning of period		0 -----
Deficit accumulated during the development stage	\$	(4,602) =====

The accompanying notes are an intergral part of these financial statements.

EASY CELLULAR, INC.
 (A DEVELOPMENT STAGE COMPANY)
 STATEMENT OF CHANGES IN STOCKHOLDERS' EQUITY
 PERIOD From March 22, 1996 (Date of Inception)
 To June 20, 1996

	Common Shares	Stock Amount	Additional Paid-in Capital	Total
	-----	-----	-----	-----
Balance, March 22, 1996	---	\$ ---	\$ ---	\$ ---
Issuance of common stock for services	4,400,000	4,400	---	4,400
Issuance of common stock for cash	600,000	600	149,400	150,000
Less net loss	---	---	---	(4,600)
Less offering costs	---	---	(35,515)	(35,515)
	-----	-----	-----	-----
Balance, June 20, 1996	5,000,000	\$ 5,000	\$113,885	\$114,283
	=====	=====	=====	=====

The accompanying notes are an intergral part of these financial statements.

EASY CELLULAR, INC.
 (A DEVELOPMENT STAGE COMPANY)
 STATEMENT OF CASH FLOWS
 From March 20, 1996 (Date of Inception)
 To June 20, 1996

CASH FLOWS USED BY OPERATING ACTIVITIES

Net Loss	\$ (4,600)
Noncash items included in net loss	
Amortization	250
Increase in accrued interest	160

NET CASH PROVIDED BY OPERATING ACTIVITIES	(4,177)

CASH FLOWS USED BY INVESTING ACTIVITIES

Organizational costs	770
Deposits	28,600
Improvements and equipment	1,676

NET CASH USED BY INVESTING ACTIVITIES	31,046

CASH FLOWS FROM FINANCING ACTIVITIES

Notes payable to stockholders	19,715
Sale of common stock	600
Additional paid-in capital	149,400
Less offering costs	(35,515)

NET CASH PROVIDED BY FINANCING ACTIVITIES	134,200
--	---------

NET INCREASE IN CASH	98,977
----------------------	--------

CASH AT BEGINNING OF PERIOD

CASH AT END OF PERIOD	\$ 98,977
	=====

The accompanying notes are an integral part of these financial statements.

EASY CELLULAR, INC.
(A DEVELOPMENT STAGE COMPANY)
NOTES TO THE FINANCIAL STATEMENTS
June 20, 1996

NOTE A SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Company was incorporated on March 22, 1996 under the laws of the state of Nevada. The business purpose of the Company is to provide pre-paid cellular service to customers, especially potential customers who have applied for cellular service and have been declined for credit reasons.

The Company will adopt accounting policies and procedures based upon the nature of future transactions.

NOTE B ORGANIZATION COSTS

Organization costs are capitalized and amortized over 60 months.

NOTE C OFFERING COSTS

The offering costs that were incurred by the Company in connection with the public stock offering were deducted from the net proceeds of the offering.

NOTE D DEPOSITS

The Company has made a utility deposits of \$200, equipment and office improvement deposits of \$10,300, a lease deposit of \$1,600 and professional fee retainers of \$16,500.

NOTE E NOTES PAYABLE

The notes payable to stockholders are unsecured, payable in 120 days and bear interest at 8%. The notes were issued on various dates from March 22, 1996 to June 14, 1996. The notes will be paid from the net proceeds of the public offering.

NOTE F PUBLIC STOCK OFFERING

The Company completed in June of 1996 a securities offering. The offering consisted of selling 600,000 shares of its common stock \$.25 per share. The net proceeds will be used for the purpose of providing pre-paid cellular service to customers, especially potential customers who have applied for cellular service and have been declined for credit reasons.

EASY CELLULAR, INC.
(A DEVELOPMENT STAGE COMPANY)
NOTES TO THE FINANCIAL STATEMENTS
June 20, 1996

NOTE G RELATED PARTY TRANSACTIONS

Two of the Company's stockholders have paid expenses on behalf of the Company and advanced funds to the Company. The Company has issued notes to these stockholders. The notes issued to stockholders are unsecured, payable in 120 days, and bear interest at 8%. The notes were issued on various dates from March 22, 1996 to June 14, 1996. The notes will be paid from the net proceeds of the public offering.

The Company retained two four of its stockholders to assist in the formation and organization of the Company and has issued 4,400,000 shares of its common stock for these services. These services were valued at \$4,400 or \$.001 per share.

NOTE H CONTRACT AND COMMITMENTS

The Company has entered into a office facility lease for a period of two years and two months. The terms of that lease provide for monthly payments of \$780 for the first year and small increases in the following months.

The Company has ordered telephone related equipment for an amount of \$99,775 and has placed a \$10,000 deposit with that order. The Company anticipates that the equipment will be delivered and installed in the early part of July of 1996.

CERTIFICATION OF APPLICANT

I, Richard Pollara, am President of Easy Cellular, Inc., the Applicant herein. I certify that, based on my information and belief, the attached unaudited financial statements are true and correct.



Richard Pollara
President
Easy Cellular, Inc.

Date: 8/30/96

CERTIFICATION OF APPLICANT

I, _____, am Chief Financial Officer of Easy Cellular, Inc., the Applicant herein. I certify that, based on my information and belief, the attached unaudited financial statements of Easy Cellular, Inc. are true and correct.

Date: _____

NOT APPLICABLE -- EASY CELLULAR, INC. DOES NOT HAVE A CHIEF FINANCIAL OFFICER.

EXHIBIT II

MANAGERIAL CAPABILITY

Easy Cellular, Inc., the Applicant herein, has the managerial capability to provide the proposed services. The management team at Easy Cellular, Inc. is composed of individuals who, collectively, have significant experience in the telecommunications industry. Below is a brief description of the experience of some key management personnel:

President - Richard Pollara

Sixteen years of previous business experience in more than twenty states, including involvement in rent-to-own businesses, and expansion of one Colortyme rental franchise to forty locations. Operated as a subagent for GTE Mobilnet, selling cellular phones. For the past twelve years, the companies of Mr. Pollara have switched their focus from selling phones to selling airtime, requiring prepayment by customers for use. The companies have become the largest provider of this service in the Tampa/St. Petersburg Market.

Vice President, Secretary/Treasurer - Lorinda C. Bucchieri

Ten years of business experience, including nine years with Bucchieri Asset Management, a financial services business, and President of National Investment and Tax Managers, Inc.

Consultant - Kirk J. Kunz

Extensive experience in switched telecommunications products and services, and software applications development. Field and headquarters management experience, including marketing and sales management, strategic planning, regulatory compliance, products and services development, Information Systems management, and telecommunications network development.

Significant experience in new-start (switched telecommunications/software development) and turn-around (switched telecommunications) situations. Key member of management team involved in growth of a telecommunications (switched reseller) start-up firm to approximately \$80 million/revenue per year.

Developed and managed launch of new products and switched, long distance services in telecommunications and software applications development. Directed ongoing product management of telecommunications services (private line and switched) offered for sale. Managed regulatory activities including authoring state tariff for telecommunications services (operator assisted).

Developed and directed use of computerized models for cost and pricing of switched and private line services (voice and low-speed data) sold. Developed and used automated models for costing and benefit analysis of network transmission mediums (satellite, microwave radio and fiber optics), to include local Feature Group services. Co-managed growth of network in the U.S.

Recruited, trained and managed outside sales force for resale carrier. Trained and managed telemarketing personnel involved in lead generation. Developed and managed lead generation program for sales utilizing direct mail and telemarketing.

EXHIBIT III

TECHNICAL CAPABILITY

Easy Cellular, Inc., the Applicant herein, has the technical capability to provide the proposed services. As noted earlier, the management team at Easy Cellular, Inc. has noted experience in the telecommunications industry. As a reseller of local basic services, Applicant will not own, control, operate or manage facilities in the State of Florida. Any technical issues that cannot be resolved by Easy Cellular, Inc. will likely be resolved by the underlying carrier whose service Easy Cellular, Inc. resells.

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

TITLE SHEET

FLORIDA TELECOMMUNICATIONS PRICE LIST

This Price List contains the rules and regulations, service descriptions, and rates applicable to the furnishing of service and facilities for telecommunications services provided by Easy Cellular, Inc., with principal offices at 8625 West Sahara Avenue, Las Vegas, Nevada 89117. This Price List is on file with the Florida Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

Issued:

Effective:

By:
By: Richard Pollara, President
Easy Cellular, Inc.
8625 West Sahara Avenue
Las Vegas, Nevada 89117

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

CHECK SHEET

Sheets in this Price List are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original Price List and are currently in effect as of the date on the bottom of this page.

<u>SHEET</u>	<u>REVISION</u>	<u>EFFECTIVE DATE</u>
1	Original	
2	Original	
3	Original	
4	Original	
5	Original	
6	Original	
7	Original	
8	Original	
9	Original	
10	Original	
11	Original	
12	Original	
13	Original	
14	Original	

Issued:

Effective:

By:
By: Richard Pollara, President
Easy Cellular, Inc.
8625 West Sahara Avenue
Las Vegas, Nevada 89117

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

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Section 3 - Service Description Prepaid Local Services	13
Section 4 - Exemptions and Special Rates	14

Issued:

Effective:

By:
By: Richard Pollara, President
Easy Cellular, Inc.
8625 West Sahara Avenue
Las Vegas, Nevada 89117

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

SYMBOLS

The following are the only symbols used for the purposes indicated below:

D - Delete or Discontinue

I - Change Resulting In An Increase to a Customer's Bill

M - Moved From Another Price List Location

N - New

R - Change Resulting In A Reduction to a Customer's Bill

T - Change In Text or Regulation But No Change In Rate Or Charge

Issued:

Effective:

By:
By: Richard Pollara, President
Easy Cellular, Inc.
8625 West Sahara Avenue
Las Vegas, Nevada 89117

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

PRICE LIST FORMAT

- A. **Sheet Numbering** - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the Price List. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. **Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the Florida Public Service Commission (FPSC). For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the FPSC follows in their tariff approval process, the most current sheet number on file with the Commission is not always the Price List page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. **Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level.
- 2.
 - 2.1.
 - 2.1.1.
 - 2.1.1.A.
 - 2.1.1.A.1.
 - 2.1.1.A.1.(a).
 - 2.1.1.A.1.(a).I.
 - 2.1.1.A.1.(a).I.(i).
 - 2.1.1.A.1.(a).I.(i).(1).
- D. **Check Sheets** - When a Price List filing is made with the FPSC, an updated check sheet accompanies the Price List filing. The check sheet lists the sheets contained in the Price List, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, pages). The Price List user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the FPSC.

Issued:

Effective:

By:
By: Richard Pollara, President
Easy Cellular, Inc.
8625 West Sahara Avenue
Las Vegas, Nevada 89117

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 1- TECHNICAL TERMS AND ABBREVIATIONS

Certain terms used generally throughout this Price List for Advanced Communications Service of this Company are defined below.

Company: Easy Cellular, Inc.

Customer: The person, firm or corporation which orders service and is responsible for the payment of charges and compliance with the terms and conditions of this Price List.

LATA: A Local Access and Transport Area established pursuant to the Modification of Final Judgement entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192; or any other geographic area designated as a LATA in the National Exchange Carrier Association, Inc. Tariff F.C.C. No. 4.

LEC: LEC (Local Exchange Company) refers to the dominant, monopoly local exchange carrier in an area also served by the Company, e.g., Bellsouth Corporation or its subsidiaries.

Premises: The space occupied by a Customer or authorized user in a building or buildings.

Recurring Charges: The monthly charges to the Customer for services, facilities and equipment, which continues for the agreed upon duration of the service.

Service Order: The written request for Easy Cellular, Inc. services executed by the Customer and the Company in the format devised by the Company. The signing of a Service Order Form by the Customer and acceptance by the Company initiates the respective obligations of the parties as set forth therein and pursuant to this Price List.

User: An Authorized User, Customer or Joint User at whose Premises the Company furnishes interstate common carrier service pursuant to general price list.

Issued:

Effective:

By:
By: Richard Pollara, President
Easy Cellular, Inc.
8625 West Sahara Avenue
Las Vegas, Nevada 89117

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 2 - RULES AND REGULATIONS**2.1 Undertaking of Carrier**

Carrier is a resale common carrier providing intrastate communications services to customers for their direct transmission and reception of voice, data, and other types of telecommunications. This Price List sets forth the service offering, rates, terms and conditions applicable to the furnishing of local exchange telecommunications reseller services provided by Easy Cellular, Inc. to customers within the State of Florida. Service is available on a full-time basis, 24 hours a day, seven days a week, throughout the State of Florida.

2.2 Application for Service

Customers desiring to obtain service from Easy Cellular must complete the Company's standard service order form(s).

2.3 Notice

Notice shall be deemed properly given if delivered in person or when deposited with the U.S. Postal Service.

2.4 Payment

The Customer is responsible for the payment of all charges for facilities and services furnished to the Customer or to authorized or joint users.

2.5 Limitations of Service

- 2.5.1 Carrier offers service to all those who desire to purchase service from Carrier consistent with all provisions of this Tariff. Customers interested in Carrier's services shall file a service application with the Carrier which fully identifies the Customer and identifies the services required.
- 2.5.2 Service is offered subject to the availability of the necessary facilities and/or equipment and subject to the provisions of this Tariff. Carrier reserves the right not to provide service to or from a location where the necessary facilities or equipment are not available.
- 2.5.3 Carrier reserves the right to discontinue furnishing service, upon a written notice, when necessitated by conditions beyond its control, or when Customer is using the service in violation of any provision in this Tariff, the rules and regulations of the Commission, or in violation of the law.
- 2.5.4 Title to all facilities provided by Carrier under these regulations remains with Carrier. Prior written permission from Carrier is required before any assignment or transfer. All regulations and conditions contained in this Tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

Issued:**Effective:**

By:
By: Richard Pollara, President
Easy Cellular, Inc.
8625 West Sahara Avenue
Las Vegas, Nevada 89117

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

2.6 Use of Service

Service may not be used for any unlawful purposes or for any purpose for which any payment or other compensation is received by Customer, except when Customer is a duly authorized and regulated common carrier. This provision does not prohibit an arrangement between Customer, authorized user, or joint user to share the cost of the service, as long as the arrangement generates no profit for any participant in the arrangement.

2.6.1 Minimum Service Period

The minimum period of service is three months (90 days), unless otherwise stated in this Tariff.

2.7 Liability

2.7.1 The liability, if any, of the Company arising out of or in any way connected with any defect, error, omission, delay, interruption, suspension or other failure in connection with furnishing service or facilities shall, unless otherwise provided in the schedules, be in an amount not in excess of the charge for the service or facility involved for the period during which the defect, error, omission, delay interruption, suspension or other failure continues.

2.7.2 The Carrier shall not be liable for errors in transmitting, receiving or delivering oral messages by telephone over the lines of the Company and its connecting companies in view of the possibility of errors and the impossibility of fairly fixing the cause.

2.8 Interruption of Service

2.8.1 Credit allowance for interruption of service which is not due to the negligence of Customer or to the failure of channels, equipment, and/or communications systems provided by Customer and other carriers are subject to the general liability provisions set forth in Section 2.7 herein. It shall be the obligation of Customer to notify Carrier immediately of any interruption in service for which a credit allowance is desired by Customer. Before giving such notice, Customer shall ascertain that the trouble is not being caused by action or omission of Customer within its control, or is not in wiring or equipment, if any, furnished by Customer and connected to Carrier's terminal.

2.9 Responsibility of Customer

2.9.1 Customers assume general responsibilities in connection with the provisions and use of Carrier's service. When facilities, equipment, and/or communications systems provided by others are connected to Carrier's facilities, Customer assumes additional responsibilities. Customers are responsible for the following:

- A. Customer is responsible for placing orders for service, paying all charges for service rendered by Carrier, and complying with all of Carrier's regulations governing the service. Customer is also responsible for assuring that its users comply with Commission regulations.
- B. Customer may not have any long distance charges (including calling card charges) billed to their home telephone number. Customer is responsible for the payment of any long distance or toll charges (e.g., 800, 900, or 976) billed to Customer's telephone number. A \$5.00 penalty will be assessed for each long distance call billing.

Issued:

Effective:

By:
By: Richard Pollara, President
Easy Cellular, Inc.
8625 West Sahara Avenue
Las Vegas, Nevada 89117

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

2.9 Responsibility of Customer (continued)

- C. When placing an order for service, Customer must provide:
1. the name(s) and address(es) of the person(s) responsible for the payment of service charges; and
 2. the name(s), telephone number(s), and address(es) of Customer-contact person(s).
- D. Customer must pay Carrier for the replacement or repair of Carrier's equipment when the damage results from:
1. the negligence or willful act of Customer or user;
 2. improper use of service; or
 3. any use of equipment or service provided by others.

2.9.2 Availability of Service for Maintenance, Testing and Adjustment

Upon reasonable notice, the facilities provided by Carrier shall be made available to Carrier for such tests and adjustments as may be necessary to maintain them in a satisfactory condition. No interruption allowance will be granted for the time during which such tests and adjustments are made.

2.9.3 Credit Allowances

Credit for failure of service or equipment will be allowed only when failure is caused by or occurs in facilities or equipment owned, provided and billed for, by Carrier.

- A. Credit allowances for failure of service or equipment starts when Customer notifies Carrier of the failure or then Carrier becomes aware of the failure and ceases when the operation has been restored and an attempt has been made to notify Customer.
- B. Customer shall notify Carrier of failures of service or equipment and make reasonable attempts to ascertain that the failure is not caused by customer provided facilities, any act, or omission of Customer or in wiring or equipment connected to the terminal.
- C. Only those portions of the service or equipment disabled will be credited. No credit allowances will be made for:
1. interruptions of service resulting from Carrier performing routine maintenance;
 2. interruptions of service for implementation of a customer order for a change in the service.
 3. interruptions caused by negligence of Customer or his authorized user;
or
 4. interruptions of service because of the failure of service or equipment provided by Customer, authorized user, or other carriers.

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2.9.4 Cancellation by Customer

- A. Customer may cancel service any time after meeting the minimum service period.
- B. If Customer orders service requiring special facilities dedicated to Customer's use and then cancels the order before the service begins, before completion of the minimum service period, or before completion of some other period mutually agreed upon by Customer and Carrier, a charge will be made to Customer for the nonrecoverable portions of expenditures or liabilities incurred expressly on behalf of Customer by Carrier and not fully reimbursed by installation and monthly charges. If, based on the order, any construction has either begun or been completed, but no service provided, the nonrecoverable cost of such construction shall be borne by Customer. Such charge will be determined on a case-by-case basis.

2.9.5 Payment and Charges for Service

- A. Charges for service are billed on the 25th of each month for the following month's service. All payments are due on the first of each month. Accounts not paid in full by the sixth of the month will be disconnected. Service continues to be provided until canceled by Customer or by Carrier in accordance with provisions of this Tariff. A Customer may pay for multiple months of service if paid on the first of the month to the Carrier.
- B. The Customer is responsible for payment of all charges for service furnished to Customer, including, but not limited to, all calls originated at Customer's number(s); received at Customer's number(s); billed to Customer's number(s) via third-party billing; incurred at the specific request of Customer; or placed using a calling card issued to Customer. The initial billing may include the account set-up charge where applicable. Charges based on actual usage during a month will be billed monthly in arrears. All fixed monthly and nonrecurring charges for services ordered will be billed monthly in advance. In the event of nonpayment of charges, Customer must reimburse Carrier for all costs, including attorneys' fees, for the collection for any unpaid amounts.
- C. Restoration of service will be subject to all applicable installation charges.
- D. Customer is liable for all costs associated with collecting past due charges, including all attorneys' fees.

2.9.6 Application of Charges

The charges for service are those in effect for the period that service is furnished. If the charge for a service covered by a bill changes after the bill has been rendered, the bill will be adjusted to reflect the new charges.

2.10 Taxes

Customer will be billed and is responsible for payment of applicable local, state, and federal taxes, including federal subscriber line charges, assessed in conjunction with service used.

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2.11 Responsibility of Carrier**2.11.1 Calculation of Credit Allowance**

Pursuant to limitations set forth in Section 2.8, when service is interrupted the credit allowance will be computed on the following basis:

- A. No credit shall be allowed for an interruption of less than two hours.
- B. Customer shall be credited for an interruption of two hours or ore for as long as the interruption continues.
- C. When a minimum usage charge is applicable and Customer fails to meet the minimum usage charge because of a service interruption, a credit shall be applied against that minimum usage charge in the following manner. For each period of two hours that the interruption continues the credit shall equal 1/360th of the monthly minimum charge. Note: in this instance a fractional period of more than one hour shall be treated as a two hour period.
- D. If notice of a dispute as to charges is not received in writing by Carrier within 30 days after billing is received by the Customer, the invoice shall be considered correct and binding on the Customer, unless extraordinary circumstances are demonstrated.

2.11.2 Cancellation of Credit

Where Carrier cancels a service and the final service period is less than the monthly billing period, a credit will be issued for any amounts billed in advance, prorated at 1/30th of the monthly recurring charge for each day after the service was discontinued. This credit will be issued to Customer or applied against the balance remaining on Customer's account.

2.11.3 Disconnection of Service by Carrier

Carrier may discontinue service or cancel service without incurring any liability for any of the following reasons:

- A. After ten days written notices, in the event of a violation of any regulation governing the service under this Tariff;
- B. Without notice, in the event of a violation of any law, rule, or regulation of any government authority having jurisdiction over the service;
- C. Without notice in the event Carrier is prohibited from furnishing services by order of a court or other government authority having jurisdiction;
- D. In the event of fraudulent use of Carrier's network, Carrier will discontinue service and/or seek legal recourse to recover all costs involved in enforcement of this provision; or
- E. Customer has not paid their bill in full by the 6th of the month..

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2.11.4 Fractional Charges

Charges for a fractional part of a month are calculated by counting the number of days remaining in the billing period after service is furnished. Divide that number of days by 30 days (billing period). The result is then multiplied by the applicable monthly service charge to arrive at the appropriate fractional monthly service charge.

2.12 Restoration of Service

The use and restoration of service in emergencies shall be in accordance with the priority system specified in Part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission.

2.13 Start of Billing

For billing purposes, the start of service is the day following acceptance by Customer of Carrier's service or equipment. The end of service date is the last day of the minimum notification of cancellation or any portion of the last day, after receipt by Carrier of notification of cancellation as described in Section G (3) of this Tariff.

2.14 Interconnection

2.14.1 Service furnished by Carrier may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitation established by Carrier. Service furnished by Carrier is not part of a joint undertaking with such other carriers. Any special interface equipment or facilities necessary to achieve compatibility between the facilities of Carrier and other participating carriers shall be provided at Customer's expense.

2.14.2 Interconnection with the facilities or services of other carriers shall be under the applicable terms and conditions of the other carriers' Tariffs. Customer is responsible for taking all necessary legal steps for interconnecting its Customer-provided terminal equipment or communications systems with Carriers' facilities. Customers shall secure all licenses, permits, rights-of-way, and other arrangements necessary for such interconnections.

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ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 3 - DESCRIPTION OF SERVICES AND RATES**3.1 Description of Services****Prepaid Local Service**

Prepaid Local Service is a Service which is available for access by residential and business subscribers on a full time basis. It consists of dialtone and access for unlimited local calls and 911 calls. The Service does not include any long distance service or other toll services. The following types of calls may be blocked by Carrier: direct dial long distance; collect calls; operator-assisted calls; third-number billed calls; 900 and 976 calls; and directory assistance calls, where available. Customers who desire this service may be authorized for service by providing payment by an approved credit card, cash, or approved check. Service will be charged on a monthly basis, and upon payment, a customer will have unlimited use of the aforementioned service for that month.

Price for Service per month

\$24.95

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8625 West Sahara Avenue
Las Vegas, Nevada 89117

ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES

SECTION 4 - EXEMPTIONS AND SPECIAL RATES**4.1 Discounts for Hearing Impaired Customers**

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, credit on charges for certain intrastate toll calls placed between TDDs. The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to applying the evening rate during business day hours and the night/weekend rate during the evening rate period. Discounts do not apply to surcharges or per call add on charges for operator service when the call is placed by a method that would normally incur the surcharge.

For intrastate toll calls received from the relay service, Easy Cellular, Inc. will discount relay service calls by 50 percent off of the otherwise applicable rate for a voice nonrelay call except that were either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted 60 percent off of the otherwise applicable rate for a voice nonrelay call. The above discounts apply only to time-sensitive elements of a charge for a call and shall not apply to per call charges such as a credit card surcharge. In case of a Price List which includes either a discount based on the number of minutes or the purchase of minutes in blocks, the discount should be calculated by discounting the minutes of relay use before the Price List rate is applied.

4.2 Operator Assistance for Handicapped Persons

Operator station surcharges will be waived for operator assistance provided to a caller who identified him or herself as being handicapped and unable to dial the call because of a handicap.

4.3 Directory Assistance for Handicapped Persons

There is no charge for Directory Assistance for calls from handicapped persons. Such persons must contact the Company for credit on their directory assistance calls.

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8625 West Sahara Avenue
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ORIGINAL

FISHER WAYLAND COOPER LEADER & ZARAGOZA L.L.P.
2001 PENNSYLVANIA AVENUE, N.W.
SUITE 400

WASHINGTON, D. C. 20006-1851

TELEPHONE (202) 659-3494

JASON S. ROBERTS*

(202) 775-5673

*NOT ADMITTED IN D.C.

DEPOSIT TREAS. REC. DATE

D374 1st 9:00 SEP 13 '96

FACSIMILE
(202) 296-6518

INTERNET
jroberts@fwclz.com

September 11, 1996

VIA FEDERAL EXPRESS

Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850


Re: **Easy Cellular, Inc.**
Application for Authority to Provide Alternative Local Exchange Service

Dear Sir or Madam:

Transmitted herewith on behalf of Easy Cellular, Inc., are an original and six copies of its Application for Authority to Provide Alternative Local Exchange Service within the state of Florida. We have also attached a copy of Easy Cellular, Inc.'s proposed tariff. Enclosed is a \$250.00 check to cover the requisite filing fee.

Please date-stamp the "Receipt" copy of this filing and return it in the enclosed, self-addressed, stamped envelope. Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,



Glenn S. Richards
Jason S. Roberts
Counsel for Easy Cellular, Inc.

06 SEP 12 11 3:43
FALLS CHURCH
COMMUNICATIONS
SECTION

Enclosures
J:\DATA\CLIENT\REGULATO\OTHER\8497000\L.FL2

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit.

initials of person who forwarded check
A.S.

DOCUMENT NUMBER - DATE
09744 SEP 13 96

FPSC-RECORDS/REPORTING

ORIGINAL

FISHER WAYLAND COOPER LEADER & ZARAGOZA L.L.P.

2001 PENNSYLVANIA AVENUE, N.W.
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TELEPHONE (202) 659-3494

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(202) 775-5673

*NOT ADMITTED IN D.C.

DEPOSIT TREAS. REC.

DATE

FACSIMILE

(202) 296-6518

D374 11 96 SEP 13 '96

INTERNET

roberts@fwclz.com

September 11, 1996

VIA FEDERAL EXPRESS

Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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EASY CELLULAR, INC.
8625 W SAHARA AVE. 702-226-7437
LAS VEGAS, NV 89117

Sun
State
Bank

P. O. Box 28429
Las Vegas, Nevada 89120

1158

04-104/1224

PAY TWO HUNDRED FIFTY: ⁰⁰70

TO
THE
ORDER
OF

FLORIDA
PUBLIC SERVICE
COMMISSION

DATE

9-5-96

AMOUNT

250⁰⁰

DOCUMENT NUMBER-DATE

09744 SEP 13 96

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