

HARBOR CONSULTING GROUP INC.

REGULATORY CONSULTANTS

4312 92ND AVENUE NORTHWEST  
GIG HARBOR WASHINGTON 98335

TELEPHONE: 253.265.3910  
FACSIMILE: 253.265.3912  
E-MAIL: hcg@netlink.com

Via Overnight Delivery

February 26, 1998

DEPOSIT  
D7 18  
DATE  
FEB 27 1998  
980308-TI

Florida Public Service Commission  
Division of Records and Reporting  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0872

RE: Buyers United International, Inc. Application for Certificate

Enclosed are an original and six (6) copies of Buyers United International, Inc.'s Application for Authority to Provide Interexchange Telecommunications Services Within the State of Florida, including the Company's proposed tariff, and \$250.00 filing fee. This Application is filed in accordance with the Rules of the Florida Public Service Commission, Chapter 25-24, Telephone Companies, and Section 25-24.471, Application for Certificate.

Please acknowledge receipt of this filing by file stamping and returning the extra copy of the first page of the Application in the self-addressed, stamped envelope provided for this purpose.

Questions concerning this Application may be addressed to me.

Sincerely,

for HARBOR CONSULTING GROUP INC.

*Gina M. Guiley*

Gina M. Guiley

Enclosures

cc: Buyers United International, Inc.

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

*A.J.*

DOCUMENT NUMBER-DATE

02718 FEB 27 98

FPSC-RECORDS/REPORTING

RECEIVED  
FLORIDA PUBLIC  
SERVICE COMMISSION  
MAIL ROOM  
98 FEB 27 AM 9 27

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF FLORIDA

In the Matter of the Application of )  
Buyers United International, Inc. for )  
an Application for Authority to Provide )  
Interexchange Telecommunications )  
Services Within the State of Florida. )

No. 980305 -

APPLICATION

Buyers United International, Inc. ("Applicant"), hereby files an Application for Authority to Provide Interexchange Telecommunications Services within the State of Florida ("Application"), with the Florida Public Service Commission, pursuant to Chapter 25-24, Section 25-24.471, Application for Certificate, Rules of the Florida Public Service Commission. In support of its Application, Applicant provides the following information in accordance with Florida Public Service Commission Form PSC/CMU 31:

- (1) Applicant requests authority to operate as a non-facilities-based switchless rebiller of interexchange telecommunications services.
- (2) This is an Application for original authority.
- (3) Applicant's legal name is Buyers United International, Inc.
- (4) Applicant will be doing business as Buyers United International, Inc.
- (5) Applicant's national address is:  

635 West 5300 South, Suite 202  
Murray, Utah 84123
- (6) Applicant will have no Florida office. All Company operations will be directed from Applicant's national office.

DOCUMENT NUMBER-DATE  
02718 FEB 27 88  
FPSC-RECORDS/REPORTING

(7) Applicant is a privately-held corporation organized under the laws of the State of Utah on August 23, 1994.

(8) Not applicable.

(9)(a) A copy of Applicant's Certificate of Authority to transact business as a foreign corporation in Florida is attached as Exhibit A.

(9)(b) The name and address of Applicant's Florida registered agent are:

NRAI Services, Inc.  
526 E. Park Avenue  
Tallahassee, Florida 32301

(9)(c) 1) None of Applicant's officers, directors or shareholders have been adjudged bankrupt, mentally incompetent, or found guilty of a felony or of any crime. No proceedings are pending against any officers, directors or shareholders that may result in such a finding; 2) No officers, directors, or shareholders are or have previously been affiliated in any way with any other Florida certificated telephone company.

(10)(a) and (c) Correspondence and communications concerning this Application and Tariff should be directed to:

Gina M. Guiley  
Regulatory Consultant  
c/o Harbor Consulting Group Inc.  
4312 92nd Avenue N.W.  
Gig Harbor, Washington 98335  
Telephone: (253) 265-3910

(10)(b) Official Point of Contact for the ongoing operations of the Applicant is:

Mr. Paul Jarman  
Treasurer  
635 West 5300 South, Suite 202  
Murray, Utah 84123  
Telephone: (801) 264-9015

(10)(d) Customer complaints/inquiries should be directed to Applicant's customer service department at (800) 363-6177 or (888) 203-3900.

(11)(a) through (f) Applicant is currently authorized to operate in Colorado, Iowa, Michigan, New Jersey, Utah and Virginia. Applicant has applications for certification pending in California, Illinois, and Texas. In no instance has Applicant been denied authority to operate, had regulatory penalties imposed or been involved in civil court proceedings with any telecommunications entity.

(12) Applicant does not offer services to other certificated telephone companies.

(13) Applicant markets its services through a network of independent sales agents and in-house sales staff. Applicant provides ongoing training to its independent agents and in-house sales staff, and is solely responsible for development of all marketing material provided to prospective subscribers. It does not engage in multilevel marketing.

(14) and (15) Applicant's sales force is currently comprised of a network of independent sales agents who represent Applicant's services for a standard commission. Applicant also employs its own sales force which receives standard compensation.

(16) Residential and business customers will receive bills for Applicant's service.

(17) Applicant's name will appear on all bills for service.

(18)(a) Applicant possesses the financial capability to provide its services throughout the State of Florida as demonstrated by its most recent income statement and balance sheet attached as Exhibit B.

(18)(b) and (c) Applicant possesses the managerial and technical capability necessary to provide its services throughout the State of Florida. An overview of the qualifications and experience of Applicant's senior management team is attached as Exhibit C.

(19) Applicant proposed tariff is attached as Exhibit D.

(20) Applicant proposes to offer a variety of inbound and outbound, switched access, interexchange telecommunications and calling card services for the direct transmission and reception of voice and data between locations throughout the State of Florida. Applicant's services will be available to subscribers twenty-four (24) hours per day, seven (7) days per week, at rates, terms and conditions set by Applicant. Applicant does not propose to offer alternative operator services.

(21) Applicant's customers access Applicant's service by dialing one "1" plus the number they are calling or by dialing a toll free (800/888) telephone number.

(22) Commission approval of this Application will bring the following long-term benefits to the Applicant's customers:

- (i) greater value to customers through lower-priced, better quality services;
- (ii) innovative telecommunications services;
- (iii) increased consumer choice in telecommunications service and alternative billing options;
- (iv) efficient use of existing telecommunications resources as well as increased diversification and reliability in the supply of telecommunications services;
- (v) an additional tax revenue source for the State of Florida; and

- (vi) an ability for subscribers to have certainty over long distance charges and avoid usage of alternative operator services when calling from telephones other than those presubscribed to subscriber's existing long distance provider.

(23) Applicant will comply with all the rules and regulations of the Commission and will respond to any Commission request for further information or evidence regarding Applicant's proposed services.

(24) Applicant is prepared to offer its services immediately upon Commission authorization.

WHEREFORE, Buyers United International, Inc. respectfully requests that the Florida Public Service Commission grant it original authority to operate as a reseller of telecommunications services within Florida.

Respectfully submitted this 18 day of February, 1998.

Buyers United International, Inc.

By: Paul Jarman

Paul Jarman

Treasurer

635 West 5300 South, Suite 202

Murray, Utah 84123

Telephone: (801) 264-9015

Harbor Consulting Group Inc.  
4312 92nd Avenue N.W.  
Gig Harbor, Washington 98335  
Telephone: (253) 265-3910

Applicant's Regulatory Consultants

## APPLICANT ACKNOWLEDGEMENT STATEMENT

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of its gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment of \$50.00 is required.
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** A non-refundable application fee of \$250.00 must be submitted with the application.
5. **RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Orders relating to my provision of interexchange telephone service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding interexchange telephone service.
6. **ACCURACY OF APPLICATION:** By my signature below, I the undersigned owner or officer of the named utility in the application, attest to the accuracy of the information contained in this application and associated attachments. I have read the foregoing and declare that to the best of my knowledge and belief, the information is a true and correct statement.

Respectfully submitted this 18 day of February, 1998.

Buyers United International, Inc.

By: Paul Jarman  
Paul Jarman  
Treasurer  
635 West 5300 South, Suite 202  
Murray, Utah 84123  
Telephone: (801) 264-9015

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF FLORIDA

In the Matter of the Application of )  
Buyers United International, Inc. for )  
an Application for Authority to Provide ) No. \_\_\_\_\_  
Interexchange Telecommunications )  
Services Within the State of Florida. )

**LIST OF EXHIBITS**

- |           |   |
|-----------|---|
| EXHIBIT A | Certificate of Authority                |
| EXHIBIT B | Financial Statements                    |
| EXHIBIT C | Statement of Financial Capability       |
| EXHIBIT D | Senior Management Experience            |
| EXHIBIT E | Proposed Tariff                         |
| EXHIBIT F | Customer Deposits and Advanced Payments |
| EXHIBIT G | Intrastate Network                      |
| EXHIBIT H | Florida Telephone Exchanges             |



**EXHIBIT A**

**CERTIFICATE OF AUTHORITY**  
**(Attached)**

# State of Florida



Department of State

I certify the attached is a true and correct copy of the application by BUYERS UNITED INTERNATIONAL, INC., an Utah corporation, authorized to transact business within the State of Florida on January 26, 1998 as shown by the records of this office.

The document number of this corporation is F98000000478.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Twenty-seventh day of January, 1998



CR2EO22 (2-95)

*Sandra B. Mortham*  
Sandra B. Mortham  
Secretary of State

## APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

*IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA.*

1. Buyers United International, Inc.  
(Name of corporation; must include the word "INCORPORATED", "COMPANY", "CORPORATION" or words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of a natural person or partnership if not so contained in the name at present.)

2. Utah 3. 86-0812348  
(State or country under the law of which it is incorporated) (FEI number, if applicable)

4. August 23, 1994 5. Perpetual  
(Date of incorporation) (Duration: Year corp. will cease to exist or "perpetual")

6. Upon qualification  
(Date first transacted business in Florida.) (SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)

7. 635 W. 5300 South, #202  
Murray, UT 84123  
(Current mailing address)

8. Long distance telecommunication services  
(Purpose(s) of corporation authorized in home state or country to be carried out in state of Florida)

9. Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box NOT acceptable)

Name: NRAI Services, Inc.

Office Address: 526 E. Park Avenue

Tallahassee, Florida, 32301  
(Zip code)

10. Registered agent's acceptance:

*Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.*

*Tina Leland*

Tina Leland (Registered agent's signature) Asst. Secretary for National Registered Agents, Inc.

11. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

12. Names and addresses of officers and/or directors: (Street address **ONLY** - P.O. Box **NOT** acceptable)

FILED OF STATE  
SECRETARY OF CORPORATIONS  
98 JAN 26 AM 11 16

Chairman: Rod A. Smith  
Address: 635 W. 5300 South, #202  
Murray, UT 84123

Vice Chairman: \_\_\_\_\_  
Address: \_\_\_\_\_

Director: G. Douglas Smith  
Address: 635 W. 5300 South, #202  
Murray, UT 84123

Director: \_\_\_\_\_  
Address: \_\_\_\_\_

**B. OFFICERS (Street address only - P.O. Box NOT acceptable)**

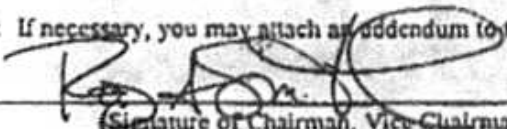
President: Rod A. Smith  
Address: 635 W. 5300 South, #202  
Murray, UT 84123

Vice President: G. Douglas Smith  
Address: 635 W. 5300 South, #202  
Murray, UT 84123

Secretary: Paul Jarman  
Address: 635 W. 5300 South, #202  
Murray, UT 84123

Treasurer: Paul Jarman  
Address: 635 W. 5300 South, #202  
Murray, UT 84123

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors.

13.   
(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)

14. Rod A. Smith, Chairman & President  
(Typed or printed name and capacity of person signing application)

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
98 JAN 26 AM 11:16

**EXHIBIT B**

**FINANCIAL STATEMENTS**  
(Attached)

**Buyers United International**  
**Balance Sheet**  
**As of September 30, 1997**

ASSETS	1996 (Audited)	9/30/97 (Unaudited)
<b>Current Assets:</b>		
Cash	\$240,385	\$185,587
Accounts Receivable (I-Link)	\$200,000	\$1,329,297
Less: Allowance for Bad Debt (10%)		(\$621,618)
Note Receivable		\$53,800
Other Current Assets		<u>\$9,601</u>
<b>Total Current Assets</b>	<u>\$440,385</u>	<u>\$956,667</u>
<b>Fixed Assets (Net of accumulated depreciation)</b>	<u>\$75,268</u>	<u>\$145,092</u>
<b>Total Assets</b>	<b>\$515,653</b>	<b>\$1,101,759</b>

**LIABILITIES & STOCKHOLDER'S EQUITY**

<b>Current Liabilities:</b>		
Accounts Payable	\$76,274	\$41,200
Other Current Liabilities	\$92,148	\$170,941
Accrued Founder Settlement	95,000	\$20,000
Amount Due to Major Shareholder	<u>163,300</u>	<u>          </u>
<b>Total Current Liabilities</b>	<u>\$421,722</u>	<u>\$212,141</u>
<b>Long Term Liabilities:</b>		
Note Payable - Gary Smith	\$800,000	\$1,143,458
Note Payable - Danny Ainge	-----	\$108,609
Note Payable - Convertible Debentures	<u>\$95,000</u>	<u>\$420,886</u>
<b>Total Long Term Liabilities</b>	<u>\$895,000</u>	<u>\$1,289,514</u>
<b>Total Liabilities</b>	<b>\$1,316,722</b>	<b>\$1,720,539</b>

**STOCKHOLDER'S EQUITY**

<b>Stockholder's Equity (as of September 30, 1997):</b>		
Common Stock, .001 par value; authorized 20,000,000		
Shares; issued and outstanding 9,955,043 shares.		
Common Stock	\$7,890	\$9,955
Additional Paid in Capital	\$301,703	\$815,853
Accumulated Deficit	<u>(\$1,110,662)</u>	<u>(\$1,444,588)</u>
<b>Total Shareholder's Deficit</b>	<b>(\$801,069)</b>	<b>(\$618,780)</b>
<b>Total Liabilities &amp; Shareholder's Deficit</b>	<b>\$515,653</b>	<b>\$1,101,759</b>

**Buyers United International**  
**Statement of Operations**  
From Inception (January 16, 1996) to September 30, 1997

<b>SALES REVENUE:</b>	1996 (Audited)	9/30/97 (Unaudited)
From Telecommunication Services (FTI/I-Link)	\$1,321,457	\$6,341,840
From System Sales	<u>\$32,844</u>	<u>\$78,467</u>
<b>Total Sales Revenue</b>	<b>\$1,354,301</b>	<b>\$6,420,307</b>
 <b>COST OF SALES:</b>		
Telecommunication Services	\$911,805	\$4,382,827
Less: (FTI write-off)	\$209,652	
System Sales	<u>\$31,975</u>	<u>\$69,329</u>
<b>Total Cost of Sales</b>	<b>\$1,153,432</b>	<b>\$4,452,156</b>
<b>GROSS MARGIN</b>	<b>\$200,869</b>	<b>\$1,968,151</b>
 <b>OPERATING EXPENSES:</b>		
General and Administrative	\$1,367,718	\$1,437,959
Selling and promotion	\$271,158	\$296,321
Allowance for Bad Debt (10%)	<u>          </u>	<u>\$621,618</u>
<b>Total Operating Expenses</b>	<b>\$1,638,876</b>	<b>\$2,355,898</b>
 <b>LOSS FROM OPERATIONS</b>	<b>(\$1,472,867)</b>	<b>(\$387,747)</b>
 <b>OTHER INCOME (EXPENSE):</b>		
Interest and other income	\$1,400	
Interest expense	<u>(\$29,427)</u>	<u>(\$142,763)</u>
<b>Total other expense, net</b>	<b>(\$28,027)</b>	<b>(\$142,763)</b>
 <b>NET LOSS</b>	<b>(\$1,500,894)</b>	<b>(\$530,510)</b>

## **EXHIBIT C**

### **STATEMENT OF FINANCIAL CAPABILITY**

As indicated by Buyers United International, Inc.'s financial statements, the Company possesses the necessary assets and profit-generating ability to ensure that the Company will be able to offer consistent, high-quality service to the public in the State of Florida, upon receiving certification from the Commission. Specifically, Buyers United International, Inc. has current assets in place amounting to \$515,653.



**EXHIBIT D**

**SENIOR MANAGEMENT EXPERIENCE**  
(Attached)

## M A N A G E M E N T

Buyers United is led by a balanced and experienced team with proven track records in the Company's areas of core competence. Their special strength is their experience in the managing companies experiencing hypergrowth. Each has made a decisive contribution to accelerated increases in revenues and profit for companies rated among the fastest growing in the US, such as NuSkin, Franklin Quest and HealthRider. Thanks largely to their efforts, these companies today have combined revenues of more than \$1 billion.

### Management biographies

**Rod Smith** (Director, President and CEO) founded the Company in January 1996 and has served as the Company's President, Chief Executive Officer and Chairman of the Board since that time. From April 1982 to January 1985, Mr. Smith was employed with Julian J. Studley, a national, New York-based real estate brokerage firm, as a real estate broker specializing in tenant representation. From January 1985 to January 1989, Mr. Smith founded and operated R. Alan Smith & Associates, a real estate consulting firm, during which time he was honored by South Coast Metro Association as the Orange County, California "Broker of the Year". From April 1992 to August 1993, Mr. Smith owned and operated a wholesale flower business based in Salt Lake City, Utah, which specialized in the distribution of roses.

From January 1993 to November 1995, Mr. Smith was employed as an independent distributor of health and beauty products for NuSkin International, a billion dollar network marketing organization. In February 1995, Mr. Smith reached the "Blue Diamond" level, becoming one of approximately 50 in the United States to advance to that level of achievement over NuSkin's ten-year history.

While involved with NuSkin, Mr. Smith developed innovative sales methodologies designed to empower both men and women sales professionals, as well as individuals who are new to direct marketing. As a national trainer and leader of NuSkin, Mr. Smith created and produced what is now referred to as "The WealthNet System", a powerful training program for home-based entrepreneurs. Through his unique leadership ability and teaching style, he has positively influenced tens of thousands of consumers and independent distributors across America.

**Kenneth D. Krogue**, (Vice President, Legendary Member Services) comes with nine years of experience in customer service and sales. He recently managed the Inside Sales Department at Franklin Quest Co. (soon to be Franklin Covey Co. with the impending merger). Ken exceeded management goals at Franklin four years running and led the fastest growing department in the company with an average annual growth rate of 150%.

and business development experience to assist the Company in implementing financial procedures, controls and proper financial reporting practices.

**Don Dyer (Information Systems)** After beginning his career in computer programming with Raytheon Data Systems in 1982, Mr. Dyer has developed an extensive background in process analysis and modeling, data analysis and modeling, software project planning, application development, local and wide area networks, data communications, Internet development, and client/server database systems. In 1992, Mr. Dyer founded *On Target Business Systems* to assist businesses with sales automation, customer service, and accounting applications. Under Mr. Dyer's leadership, the team of professionals at *On Target* has successfully completed more than 200 software installations, 90% of which are in the greater Salt Lake area. Some of the more notable clients benefited by Mr. Dyer's expertise are: Cellular One (now AT&T wireless), Beneficial Life, Utah State University, Franklin Quest, and TSL

**Young Associates, Inc. (Graphic Design)** is one of Arizona's leading graphic design firms. The company's focus is strategic marketing communications-helping Buyers United speak effectively to its markets to reach its business goals. Young Associates was founded in 1990 and today serves clients in a wide range of industries, including telecommunications, energy, environmental technologies, consumer software, healthcare and homebuilding.

Young Associates will continue to assist Buyers United in refining and implementing a coherent long-term strategy for national and then global market penetration.

Young Associates has two principals dedicated to the Buyers United project, along with four graphic designers.

**Toni Young** has twelve years' successful experience as a graphic design consultant. She entered the field of design with a leading Arizona firm, and quickly rose to become a partner of that company. In 1990, she launched her own firm, Young Associates. Toni's success is based on an exceptional gift for understanding marketing fundamentals combined with a rare eye for original and effective visual communications. **Jon Ward** is a copywriter of some fifteen years' experience. For the first seven years of his career, he was the lead writer for Pentagram in London, possibly the world's most prestigious graphic design firm. Today, he is recognized as one of the Valley's premier copywriters. He is noted for an unusual ability to grasp complex information and communicate eloquently to diverse audiences.

for identifying specialty closure accounts and controlled \$3 million in sales. Eleanor developed new business and participated in product launches at Ocean Spray, Maxwell House, Cadbury Schweppes, Seagrams, Perrier and General Foods.

Eleanor has a progressive and diversified background in sales and marketing including expanding the closure division of Wheaton Injection Molding Co. into the cosmetic industry. She blended product knowledge and strong customer rapport to produce new accounts and provide an entry into this exclusive market. She has devised and implemented multi-layered marketing plans that have tripled sales volume at Brockway Plastics culminating in a sales award.

As Director of Community, the division of Buyers United serving institutional client, Eleanor is responsible for securing partnerships with national and local institutions, including nonprofit organizations, associations, and banking and educational institutions. She has already established strong relationships with premier organizations, such as North Shore Animal League, Junior Achievement, and The United Way.

#### Special Advisors

**Gary Smith** (Director, Marketing Consultant) is a Director and will serve as marketing consultant for Buyers United. He will assist with the direction marketing activities, collateral development, and strategic planning, while taking advantage of his national business contacts and relationships to establish his own consumer member organization in Buyers United.

Mr. Smith was the founder, majority owner and former President of HealthRider, a national exercise equipment company based in Salt Lake City, Utah. From 1991 to the present year, he managed and directed every phase of business and sales operations at HealthRider. Using a unique made-for-television "Infomercial", co-written and directed by Mr. Smith, HealthRider sold nearly one million exercise machines, generating more than \$600 million in revenue in the last three years. While directing a national media campaign for HealthRider, Mr. Smith also established a network of more than 200 national retail outlets for equipment sales around the country. Because of his vision and leadership abilities, Mr. Smith was honored in July 1996 as the regional "Entrepreneur of the Year" by Inc. Magazine.

**Lee Jarman, CPA** (Consultant — Finance) will provide Buyers United with outside financial advisory services. As the Company and its member base continues to grow and expand in 1998, the need for improved financial controls and disciplines becomes increasingly important. Mr. Jarman will draw upon his experience in financial management

Prior to his work with Franklin, Ken served as the Marketing Director of Infobases International Inc., a well-known Florida electronic publisher. Ken led the company to an unprecedented 300% rate of growth for nearly two years. He is also a certified Novell NetWare engineer and consultant, which adds greatly to his ability to leverage the member services division with cutting-edge technology solutions.

**G. Douglas Smith** (Vice President of Marketing) will be responsible for all aspects of marketing, including brand strategy, advertising, promotions, corporate communication, and product development, etc. He has spent the last six years at HealthRider, Inc., an exercise equipment company based in Salt Lake City, Utah. During his service at HealthRider the company grew from \$600,000 in 1991 revenue to \$241 million in 1995. HealthRider far surpassed the top growing private companies on the Inc. 500 list of 1995.

Doug started at HealthRider as Director of Media and ended his tenure as Senior Vice President over marketing and sales. He brings tremendous experience in fast-growth, cost-effective marketing strategies. He is currently busy reorganizing the Buyers United brand positioning for long-term opportunities, while focusing on short-term sales objectives and profitability.

**Paul Jarman** (Vice President, Channel Sales) will be responsible for the retail sales program as well as marketing to large associations, nonprofit organizations and businesses. He also comes to the Company from HealthRider, Inc. In March 1994, he began work as the Texas Regional Manager, opening 15 retail locations in the state with annual sales of \$8 million. In August 1995 he was promoted to Western Area Manager, in charge of 95 retail locations and over 400 employees in the western U.S. In April 1996 he became the Acting Director of Retail Operations, managing 250 retail locations and over 1,100 employees, with \$95 million in annual sales.

In August 1996, Paul decided to broaden his experience by switching to HealthRider's marketing department as the Director of New Product Development. He managed new product creations in exercise, massage, and nutritional products as well as choosing new products for the retail locations to sell and negotiating pricing with the respective vendors.

Before his service at HealthRider, Paul sold corporate seminars in time management, sales, and project management for Franklin Quest from 1990-1993. He earned a Bachelor of Science degree in Accounting from the University of Utah and is a certified CPA.

**Eleanor Kedney Schaffer** (Director of Institutional Sales—"Comanity") Eleanor comes to Comanity with over ten years of experience in the packaging industry developing and managing national accounts. As Account Manager for Alcoa, Eleanor lead marketing teams

**EXHIBIT E**

**PROPOSED TARIFF**  
**(Attached)**

FLORIDA TELECOMMUNICATIONS TARIFF

OF

Buyers United International, Inc.

635 West 5300 South, Suite 202, Murray, Utah 84123

RESALE INTEREXCHANGE TELECOMMUNICATIONS SERVICE

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of telecommunications services provided by Buyers United International, Inc. within the State of Florida. This tariff is on file with the Florida Public Service Commission ("Commission"). Copies may be inspected during normal business hours at the Company's principal place of business; 635 West 5300 South, Suite 202, Murray, Utah 84123.

Buyers United International, Inc. is a provider of interexchange telecommunications services on a 24-hour basis. Service is provided for the direct transmission and reception of voice and data communications between points within the State of Florida as an adjunct to Buyers United International, Inc.'s interstate service.

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Issued: February 27, 1998  
Issued By:

Mr. Paul Jarman, Treasurer  
Buyers United International, Inc.  
635 West 5300 South, Suite 202  
Murray, Utah 84123  
(801) 264-9015

Effective Date:

**CHECK SHEET**

The Title Sheet and Sheets 1 through 23 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s).

<u>SHEET</u>	<u>REVISION</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
15	Original
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original
22	Original
23	Original

Issued: February 27, 1998

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**CONCURRING CARRIERS**

None

**CONNECTING CARRIERS**

None

**OTHER PARTICIPATING CARRIERS**

None

**EXPLANATION OF SYMBOLS**

- (D) To signify **deleted or discontinued** rate, regulation or condition.
- (I) To signify a change resulting in an **increase** to a Customer's bill.
- (M) To signify that material has been **moved from** another tariff location.
- (N) To signify a **new** rate, regulation condition or sheet.
- (R) To signify a change resulting in a **reduction** to a Customer's bill.
- (T) To signify a change in **text** but no change to rate or charge.

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**TARIFF FORMAT**

- A. **Sheet Numbering** - Sheet numbers appear in the upper right corner of the sheet. Sheets are numbered sequentially. However, occasionally, 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 sheet. These numbers are used to determine the most current sheet version on file with the Commission. For example, the 4th revised Sheet 14 cancels the 3rd Revised Sheet 14. Because of various suspension periods, deferrals, etc. the Commission follows in its tariff approval process, the most current sheet number on file with the Commission is not always the sheet in effect. Consult the Check Sheet for the sheet currently in effect.
- C. **Paragraph Numbering Sequence** - There are four levels of paragraph coding. Each level of code is subservient to its next higher level:
- 2.
  - 2.1.
  - 2.1.1.
  - 2.1.1.1.
- D. **Check Sheets** - When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff with a cross reference to the current revision number. When new sheets 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 sheet if these are the only changes made to it (i.e., the format, etc., remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find if a particular sheet is the most current on file with the Commission.

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### APPLICATION OF TARIFF

This tariff contains the rates applicable to the provision of specialized intrastate resale common carrier telecommunications services by Buyers United International, Inc. between various locations within the State of Florida. All services are interstate offerings. Intrastate service is an add on service available only if the Customer subscribes to the Company's interstate offerings.

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## SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

**Account Code:**

A numerical code, one or more of which are available to a Customer to enable identification of individual users or groups of users on an account and to allocate costs of service accordingly.

**Called Station:**

The terminating point of a call (i.e., the called number).

**Calling Card:**

A card issued by Company containing such account numbers assigned to its Customer which enables the charges for calls made to be properly billed on a pre-arranged basis.

**Company:**

Buyers United International, Inc. ("Buyers United")

**Commission:**

The Florida Public Service Commission

**Customer:**

The person, firm, corporation or other entity which orders or uses service and is responsible for payment of charges and compliance with tariff regulation.

**Disconnect or Disconnection:**

The termination of a circuit connection between the originating station and the called station or the Company's operator.

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## SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

### Measured Service:

The provision of long distance measured time communications telephone service to Customers who access the Company's service at its contracted interexchange carriers' switching and call processing equipment by means of access facilities obtained from local exchange common carrier(s). Company contracted interexchange carrier is responsible for arranging the access lines.

### Point of Presence:

The point of physical interconnection between the local exchange Company's local network and the interexchange carrier's network ("POP").

### Postpaid Service:

Presubscribed service where subscribers are billed for and remit payment subsequent to the provision of service.

### Prepaid Service:

A discretionary prepaid calling card service for which subscribers pay prior to accessing the service.

### Subscriber:

See "Customer" definition.

### Travel Card:

See "Calling Card" definition.

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## SECTION 2 - RULES AND REGULATIONS

### 2.1. UNDERTAKING OF COMPANY

- 2.1.1. Company's services are furnished for telecommunications originating and/or terminating in any area within the State of Florida.
- 2.1.2. Company is a provider of interexchange telecommunications to Customers for direct transmission and reception of voice, data, and other types of communications.
- 2.1.3. Company resells access, switching, transport and termination services provided by interexchange carriers.
- 2.1.4. Customer's monthly charges for Company's service are based on the total time Customer actually uses the service.
- 2.1.5. Subject to availability, the Customer may use authorization codes to identify the users or user groups on an account. The numerical composition of the codes shall be set by Company to assure compatibility with the Company's accounting and billing systems and to avoid the duplication of codes.
- 2.1.6. The Company's services are provided on a monthly basis and are available twenty-four (24) hours per day, seven (7) days per week.

### 2.2. LIMITATIONS

- 2.2.1. Service is offered subject to availability of the necessary facilities and/or equipment and subject to the provisions of this tariff.
- 2.2.2. Company reserves the right to immediately disconnect service without incurring liability when necessitated by conditions beyond the Company's control or when the Customer is using the service in violation of either the provisions of this tariff or the Commission rules.

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**SECTION 2 - RULES AND REGULATIONS, Continued**

**2.2. LIMITATIONS, Continued**

- 2.2.3. The Company does not undertake to transmit messages, but offers the use of its facilities when available.
- 2.2.4. Title to all facilities provided by Company under these regulations remains in Company's name.
- 2.2.5. Prior written permission from the Company 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 of service.

**2.3. USE**

- 2.3.1. Service may be used for the transmission of communications by the Customer.
- 2.3.2. Service may not be used for any unlawful purpose or for any purpose for which any payment or other compensation is received by the Customer, except when the Customer is a duly authorized and regulated common carrier. This provision does not prohibit an arrangement between the Customer, authorized user or joint user to share the cost of service.
- 2.3.3. The Company strictly prohibits use of the Company's services without payment or an avoidance of payment by the Customer by fraudulent means or devices including providing falsified calling card numbers or invalid calling card numbers to the Company, providing falsified or invalid credit card numbers to the Company or in any way misrepresenting the identity of the Customer.

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**SECTION 2 - RULES AND REGULATIONS, Continued**

**2.4. LIABILITIES OF THE COMPANY**

- 2.4.1. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays, errors or defects in transmission occurring in the course of furnishing service or other facilities and not caused by the negligence of the Customer, commences upon activation of service and in no event exceeds an amount equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays, errors, or defects in transmission occur. In no event will the Company be responsible for consequential damages for lost profits suffered by a Customer or end user as the result of interrupted or unsatisfactory service. For the purpose of computing such amount a month is considered to have thirty (30) days.
- 2.4.2. Company shall be indemnified and held harmless by the Customer against:
- A. Claims for libel, slander, infringement of copyright or unauthorized use of any trademark, trade name or service mark arising out of the material, data, information or other content transmitted over Company's facilities; and
  - B. Claims for patent infringement arising from combining or connecting Company's facilities with apparatus and systems of the Customer; and
  - C. All other claims arising out of any act or omission of the Customer in connection with any service provided by Company.
- 2.4.3. The Company is not liable for any defacement of, or damage to, the equipment or premises of a Customer resulting from the furnishing of services when such defacement or damage is not the result of the Company's negligence.

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**SECTION 2 - RULES AND REGULATIONS, Continued**

**2.4. LIABILITIES OF THE COMPANY, Continued**

- 2.4.4. Company shall not be liable for and the Customer indemnifies and holds harmless from any and all loss claims, demands, suits, or other actions or liabilities whatsoever, whether suffered, made, instituted or asserted by the Customer or by any other party or person, for any personal injury to, death of any person or persons, and for any loss, damage, defacement or destruction of the premises of the Customer or any other property, whether owned by the Customer or by others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of equipment or wiring provided by Company where such installation, operation, failure to operate, maintenance, condition, location or use is not the direct result of the Company's negligence.
- 2.4.5. The Company is not liable for any failure of performance hereunder due to causes beyond its control, including, but not limited to, unavoidable interruption in the working of its circuits or those of another common carrier; acts of God, storms, fire, floods, or other catastrophes; any law, order, regulation, direction, action, or request of the United States Government, or any other governmental entity having jurisdiction over the Company or of any department, agency, commission, bureau, corporation, or other instrumentality or any one or more of such instrumentality or any one or more of such governmental entities, or of any civil or military authority; national emergencies, insurrections, riots, rebellions, wars, strikes, lockouts, work stoppages, or other labor difficulties; or notwithstanding anything in this tariff to the contrary, the unlawful acts of the Company's agents and employees, if committed beyond the scope of their employment.

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**SECTION 2 - RULES AND REGULATIONS, Continued**

**2.4. LIABILITIES OF THE COMPANY, Continued**

- 2.4.6. The Company shall not be liable for damages or adjustments, refunds, or cancellation of charges unless the Customer has notified the Company, in writing, of any dispute concerning charges, or the basis of any claim for damages, after the invoice is rendered by the Company for the call giving rise to such dispute or claim, unless ordered by the Commission pursuant to Florida law. Any such notice must set forth sufficient facts to provide the Company with a reasonable basis upon which to evaluate the Customer's claims or demands.
- 2.4.7. The Company shall not be liable for any damages, including usage charges, that the Customer may incur as a result of the unauthorized use of its communications equipment. The unauthorized use of the Customer's communications equipment includes, but is not limited to, the placement of calls from the Customer's premises and the placement of calls through Customer-controlled or Customer-provisioned equipment that are transmitted or carried over the Company's network services without the authorization of the Customer. The Customer shall be fully liable for all such charges.

**2.5. PREPAID SUBSCRIBER RESPONSIBILITIES**

- 2.5.1. The Customer is responsible for the payment of all charges for services furnished to the Customer. Charges are based on actual usage.
- 2.5.2. The Customer is responsible for compliance with applicable regulations set forth in this tariff.
- 2.5.3. The Customer is responsible for establishing identity as often as necessary during the course of the call or when seeking credits from the Company.

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**SECTION 2 - RULES AND REGULATIONS, Continued****2.6. INTERRUPTION OF SERVICE**

2.6.1. Credit allowance for interruptions of service which are not due to Company's testing or adjusting, negligence of the Customer, or failure of equipment provided by the Customer, are subject to the general liability provisions set forth in Section 2.4, herein.

It shall be the obligation of the Customer to notify Company immediately of any interruption of service for which a credit allowance is desired. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any equipment furnished by the Customer and connected to the Company's facilities. No refund or credit will be made for the time that the Company stands ready to repair the service and the Customer does not provide access to the Company for such restoration work.

2.6.2. No credit allowances will be allowed for an interruption of services for continuous duration of less than twenty-four (24) hours after the Customer notifies the Company.

2.6.3. The Customer shall be credited for an interruption of twenty-four (24) hours or more as follows:

Credit Formula:       $Credit = A/B \times C$

"A" - outage time in hours

"B" - 720 hours

"C" - total monthly charge for affected facility

2.6.4. Credits for interruptions of service for which charges are specified on the basis on per minute of use, or on the usage of a fraction of a minute, shall in no event exceed an amount equal to the initial period charge provide for under this tariff.

**2.7. RESTORATION OF SERVICE**

The use and restoration of service in emergencies shall be in accordance with part 64, Subpart D of the Federal Communications Commission's Rules and Regulations which specifies the priority system for such activities.

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**SECTION 2 - RULES AND REGULATIONS, Continued****2.8. MINIMUM CALL COMPLETION RATE**

Customers may expect a call completion rate of not less than 90% during peak use periods for all Feature Group D services ("1 plus dialing"). The call completion rate is calculated as the number of calls completed (including calls completed to a busy line or to a line which remains unanswered by the called party) divided by the number of calls attempted.

**2.9. MINIMUM SERVICE PERIOD**

The minimum service period is one month (30 days).

**2.10. PAYMENTS AND BILLING FOR POSTPAID SERVICES**

- 2.10.1. Charges for service are applied on a recurring and nonrecurring basis. Service is provided and billed on a monthly (30 day) basis. The billing date is dependent on the billing cycle assigned to the subscriber. Service continues to be provided until canceled by the Customer with no less than thirty (30) days notice.
- 2.10.2. The Customer is responsible for the payment of all charges for services furnished to the Customer. Charges are based on actual usage and are billed monthly in arrears.
- 2.10.3. Billing will be payable upon receipt and deemed past due thirty (30) days after issuance and posting of invoice. Bills not paid within thirty (31) days after the date of posting are subject to a 1.5% late payment charge for the unpaid balance, or the maximum allowable under state law.
- 2.10.4. The name(s) of the Customer(s) desiring to use the service must be set forth in the application for service.

**2.11. BILLING DISPUTES**

- 2.11.1. Billing disputes should be addressed to Company's Customer service organization via telephone to (800) 363-6177 or (888) 203-3900. Customer service representatives are available twenty-four (24) hours per day, seven (7) days per week.

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**SECTION 2 - RULES AND REGULATIONS, Continued**

**2.11. BILLING DISPUTES, Continued**

2.11.2. In the case of a dispute between the Customer and the Company for service furnished to the Customer, which cannot be settled with mutual satisfaction, the Customer can take the following course of action:

2.11.2.1. First, the Customer may request the Company perform an in-depth review of the disputed amount. (The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnection).

2.11.2.2. Second, if there is still a disagreement about the disputed amount after the investigation and review by a manager of the Company, the Customer may appeal to the Commission for its investigation and decision. The address of the Commission is:

Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399

**2.12. CANCELLATION BY CUSTOMER FOR POSTPAID SERVICES**

2.12.1. Customer may cancel service by providing written notice to Company thirty (30) days prior to cancellation.

2.12.2. Customer is responsible for usage charges while still connected to the Company's service and the payment of associated local exchange company charges, if any, for service charges.

2.12.3. Any non-recoverable cost of Company expenditures shall be borne by the Customer if:

A. The Customer orders service requiring special facilities dedicated to the Customer's use and then cancels the order before such service begins, before completion of the minimum period or before completion of some period mutually agreed with the Customer for the non-recoverable portions of expenditures; or

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**SECTION 2 - RULES AND REGULATIONS, Continued**

**2.12. CANCELLATION BY CUSTOMER FOR POSTPAID SERVICES, Continued**

- B. Liabilities are incurred expressly on behalf of the Customer by Company and not fully reimbursed by installation and monthly charges; and
- C. Based on an order for service and construction has either begun or has been completed, but no service provided.

**2.13. CANCELLATION BY COMPANY**

**2.13.1. Company reserves the right to immediately discontinue furnishing the service to Customers without incurring liability:**

- A. In the event of a condition determined to be hazardous to the Customer, to other Customers of the utility, to the utilities equipment, to the public or to employees of the utility; or
- B. By reason of any order or decision of a court or any other governmental authority which prohibits the Company from furnishing such service; or
- C. If the Company deems such refusal necessary to protect itself or third parties against fraud or to otherwise protect its personnel, agents, facilities or services without notice; or
- D. For unlawful use of the service or use of the service for unlawful purposes; or
- E. If the Customer provides false information to the Company regarding the Customer's identity, address, credit-worthiness, past, current or planned use of Company's services.

**2.13.2. Company may discontinue service according to the following conditions upon ten (10) days written notice:**

- A. For violation of Company's filed tariff.
- B. For the non-payment of any proper charge as provided by Company's tariff.

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**SECTION 2 - RULES AND REGULATIONS, Continued**

**2.13. CANCELLATION BY COMPANY, Continued**

- C. For Customer's breach of the contract for service between the utility and Customer.
  - D. When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.
- 2.13.3. The discontinuance of service(s) by the Company pursuant to this section does not relieve the Customer of any obligations to pay the Company for charges due and owing for service(s) furnished up to the time of discontinuance. The remedies set forth herein shall not be exclusive and the Company shall at all times be entitled to all the rights available to it under law or equity.
- 2.13.4. The Company may refuse to permit collect calling, calling card, third number billing which it determines to be fraudulent and/or may limit the use of these billing options or services.

**2.14. INTERCONNECTION**

- 2.14.1. Service furnished by Company may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitations established by Company. Any special interface of facilities necessary to achieve compatibility between the facilities of Company and other participating carriers shall be provided at the Customer's expense.
- 2.14.2. Interconnection between the facilities or services of other carriers shall be under the applicable terms and conditions of the other carriers' tariffs. The Customer is responsible for taking all necessary legal steps for interconnecting Customer provided terminal equipment or communications equipment with Company's facilities. The Customer shall secure all licenses, permits, rights-of-way, and other such arrangements necessary for interconnection.

**2.15. DEPOSITS**

The Company does not require a deposit from the Customer.

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**SECTION 2 - RULES AND REGULATIONS, Continued**

**2.16. ADVANCE PAYMENTS**

For Customers whom the Company feels an advance payment is necessary, the Company reserves the right to collect an amount not to exceed one (1) month's estimate charges as an advance payment for service. This will be applied against the next month's charge and, if necessary, a new advance payment will be collected for the next month.

**2.17. TAXES**

All state and local taxes (i.e. gross receipts tax, sales tax, etc.) are listed as separate line items on monthly bills and are not included in the tariffed rates.

**2.18. UNCERTIFICATED RESALE PROHIBITED**

Resale of any tariffed service appearing herein by uncertificated resellers is strictly prohibited. Applicable services may be resold only by Companies authorized by the Florida Public Service Commission to provide intrastate telecommunications services, in accordance with the Commission's rules. The Company requires proof of certification in the form of a Telephone Certificate of Public Convenience and Necessity, or a copy thereof, prior to providing services for resale.

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**SECTION 3 - DESCRIPTION OF SERVICE****3.1. TIMING OF CALLS**

- 3.1.1. The Customer's long distance usage charge is based on the actual usage of the Company's network. Usage begins when the called party picks up the receiver, (i.e. when any two-way communication, often referred to as "conversation time" is possible). When the called party picks up is determined by hardware supervision in which the local telephone company sends a signal to the carrier's switch or the software utilizing audio tone detection. When software answer supervision is employed, up to sixty (60) seconds of ringing is allowed before it is billed as usage of the network. A call is terminated when either the called or calling party hangs up.
- 3.1.2. The minimum call duration for billing purposes differs between rate plans. Usage is measured and rounded up to the next billing increment.

3.1.3. There is no billing for incomplete calls.

**3.2. BUYERS UNITED TELECOMMUNICATIONS SERVICES**

- 3.2.1. Company provides switched access, inbound and outbound, telecommunications services which allow Customers to establish a communications path between two stations by using uniform dialing plans.
- 3.2.2. **"1 Plus" Long Distance Service** is a switched access service, offering users outbound "1 plus" long distance telecommunications services from points originating and terminating in the State of Florida, throughout the US and internationally.
- 3.2.3. **Toll Free Service** is a switched access service, offering users inbound, toll free "800/888" number, long distance telecommunications services from points originating and terminating in the State of Florida. This service enables the caller to contact the Customer toll free, through the use of an assigned "800/888" number.
- 3.2.4. **Calling Card Service** permits the caller to charge a principal presubscribed location for a call while the caller is away from the principal location. The Customer may place calls from any touch tone phone in the U.S. by dialing a toll free "800/888" number and entering a personal identification code followed by the desired telephone number. Calling Card calls are billed at the Company's tariffed rates and appear on the subscriber's monthly long distance bill.

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**SECTION 3 - DESCRIPTION OF SERVICE, Continued**

**3.2. BUYERS UNITED TELECOMMUNICATIONS SERVICES, Continued**

- 3.2.5. **Prepaid Calling Card Service** is a discretionary switched access service available to subscribers via a toll free number from any dual tone multifrequency telephone in the United States. The user's account is credited for the amount of calling purchased and is debited as the subscriber places calls, in accordance with the Company's tariffed rates, until the account balance is depleted. Subscribers may immediately replenish the account at any time by contacting the Company's customer service department and charging the desired amount to a valid credit card or by mailing a check to the Company. If the account is not replenished, access to the Company's underlying carrier network is blocked. The Prepaid Calling Card Services are designed for subscribers who frequently travel or must call from locations other than their presubscribed call locations.

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**SECTION 4 - RATES****4.1. SERVICE CHARGES****4.1.1. Buyers United Subscriber Services**

- 4.1.1.1. Residential "1 Plus" Rate Plan 1 provides for a one (1) minute minimum call duration and one (1) minute additional billing increments.

Rate Per Minute \$0.0990

- 4.1.1.2. Residential "1 Plus" Rate Plan 2 provides for a one (1) minute minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.1090

- 4.1.1.3 Residential "1 Plus" Rate Plan 3 provides for an eighteen (18) second minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.1190

- 4.1.1.4 Business "1 Plus" Rate Plan provides for and eighteen (18) second minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.0990

- 4.1.1.5. Toll Free Service Rate Plan 1 provides for a one (1) minute minimum call duration and one (1) minute additional billing increments.

Rate Per Minute \$0.1190

- 4.1.1.6. Toll Free Service Rate Plan 2 provides for a one (1) minute minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.1290

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**SECTION 4 - RATES, Continued****4.1. SERVICE CHARGES, Continued****4.1.1. Buyers United Subscriber Services, Continued**

4.1.1.7 Toll Free Services Rate Plan 3 provides for an eighteen (18) second minimum call duration and six (6) second additional billing increments.

Rate Per Minute \$0.1390

4.1.1.8 Calling Card Service provides for a one (1) minute minimum call duration and one (1) minute additional billing increments.

Rate Per Minute \$0.1890

**4.1.2. Buyers United Prepaid Services**

4.1.2.1. Prepaid Calling Card Service provides for a one (1) minute minimum call duration and one (1) minute additional billing increments.

Rate Per Minute \$0.3300

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Effective Date:

**EXHIBIT F**

**CUSTOMER DEPOSITS AND ADVANCED PAYMENTS**

The Applicant will not collect deposits.

The Applicant will file with the Commission and maintain a surety bond in an amount equal to the current balance of advance payments.

Buyers United International, Inc.

By: Paul Jarman  
Paul Jarman  
Treasurer

February 16, 1998

## EXHIBIT G

### INTRASTATE NETWORK

1. - 3.

Applicant owns no network transmission facilities. Technical services are provided by Applicant's underlying carrier.

#### 4. ORIGINATION SERVICE

Applicant's subscribers may originate calls from any dual tone, multifrequency telephone in the State of Florida.

#### 5. TRAFFIC RESTRICTIONS

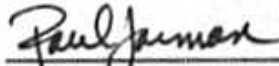
Applicant does not hold itself out to provide intraEAEA service. Applicant offers resold MTS service. Any incidental intraEAEA call would, therefore, be provided over Applicant's underlying carrier's resold MTS facilities, authorized under 25-24.471, Application for Certificate (4)(a) of the Florida Public Service Commission Rules. IntraEAEA calls should, however, be routed via the Local Exchange Carrier.

#### 6. CURRENT FLORIDA INTRASTATE SERVICES

Applicant has not previously provided intrastate telecommunications in Florida.

Buyers United International, Inc.

By:

  
Paul Jarman  
Treasurer

February 16, 1998

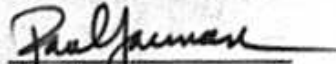
**EXHIBIT H**

**FLORIDA TELEPHONE EXCHANGES**

Applicant will provide service from any dual tone, multifrequency telephone in the State of Florida (please see response to Exhibit F, above).

Buyers United International, Inc.

By:



Paul Jarman

Treasurer

February 18, 1998



BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF FLORIDA

RECEIVED

FEB 27 1998

FPSC - Records/Reporting

In the Matter of the Application of )  
Buyers United International, Inc. for )  
an Application for Authority to Provide ) No. \_\_\_\_\_  
Interexchange Telecommunications )  
Services Within the State of Florida. )

APPLICATION

Buyers United International, Inc. ("Applicant"), hereby files an Application for Authority to Provide Interexchange Telecommunications Services within the State of Florida ("Application"), with the Florida Public Service Commission, pursuant to Chapter 25-24, Section 25-24.471, Application for Certificate, Rules of the Florida Public Service Commission. In support of its Application, Applicant provides the following information in accordance with Florida Public Service Commission Form PSC/CMU 31:

- (1) Applicant requests authority to operate as a non-facilities-based switchless rebiller of interexchange telecommunications services.
- (2) This is an Application for original authority.
- (3) Applicant's legal name is Buyers United International, Inc.
- (4) Applicant will be doing business as Buyers United International, Inc.
- (5) Applicant's national address is:  

635 West 5300 South, Suite 202  
Murray, Utah 84123
- (6) Applicant will have no Florida office. All Company operations will be directed from Applicant's national office.

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

HARBOR CONSULTING GROUP INC.

REGULATORY CONSULTANTS

4312 92ND AVENUE NORTHWEST  
GIG HARBOR WASHINGTON 98335

TELEPHONE: 253.265.3910  
FACSIMILE: 253.265.3912  
E-MAIL: hcg@hcglink.com

RECEIVED

FEB 27 1998

FPSC - Records/Reporting

Via Overnight Delivery

February 26, 1998

DEPOSIT  
D718

DATE  
FEB 27 1998

Florida Public Service Commission  
Division of Records and Reporting  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0872

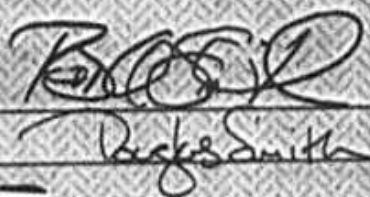
RE: Buyers United International, Inc. Application for Certificate

Enclosed are an original and six (6) copies of Buyers United International, Inc.'s Application for Authority to Provide Interexchange Telecommunications Services Within the State of Florida, including the Company's proposed tariff, and \$250.00 filing fee. This Application is filed in accordance with the Rules of the Florida Public Service Commission, Chapter 25-24, Telephone Companies, and Section 25-24.471, Application for Certificate.

Please acknowledge receipt of this filing by file stamping and returning the extra copy of the first page of the Application in the self-addressed, stamped envelope provided for this purpose.

Questions concerning this Application may be addressed to me.

Sincerely,

<b>BUYERS UNITED</b> <b>ACCOUNTS PAYABLE</b> 635 W. 5300 S. STE. 202 MURRAY, UT 84123		07-07	ZIONS FIRST NATIONAL BANK <small>Private Banking 310 South Main - Suite 100          Salt Lake City, Utah 84101</small>	1327
PAY TO THE ORDER OF Florida Public Service Commission			2/19/1998	314/1327 275
Two Hundred Fifty and 00/100			**250.00	
				DOLLARS
MEMO _____		 Rick Smith		