

# MCWHIRTER REEVES

ATTORNEYS AT LAW

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MAY 20 PM 3:11

TAMPA OFFICE:  
400 NORTH TAMPA STREET, SUITE 2450  
TAMPA, FLORIDA 33602  
P. O. BOX 3350 TAMPA, FL 33601-3350  
(813) 224-0866 (813) 221-1854 FAX

PLEASE REPLY TO:

TALLAHASSEE

TALLAHASSEE OFFICE:  
SOUTH GADSDEN  
TALLAHASSEE, FLORIDA 32301  
(850) 222-2525  
(850) 222-5606 FAX

RECORDS AND  
REPORTING

May 20, 1999

**VIA HAND DELIVER**

Blanca S. Bayo, Director  
Florida Public Service Commission  
Division of Records and Reporting  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0870

990651-TX

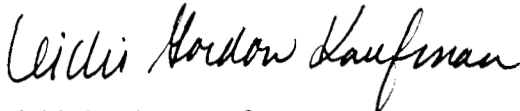
Re: P.V. Tel of Florida LLC

Dear Ms. Bayo:

Enclosed for filing are the original and six copies of P.V. Tel's ALEC application, together with the \$250 application fee. Please stamp one copy of the application and return it to me.

Thank you for your assistance. Please contact me if you have any questions.


Sincerely,



Vicki Gordon Kaufman

VGK/pr  
Encls.

cc: Bill Byrd (w/o encls.)  
Michael Bressman (w/o encls.)



DOCUMENT NUMBER-DATE  
06413 MAY 20 99  
FPSC-RECORDS/REPORTING

APPLICATION

990651-TX

1. This is an application for  (check one):

**Original certificate** (new company).

**Approval of transfer of existing certificate:** Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority.

**Approval of assignment of existing certificate:** Example, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.

**Approval of transfer of control:** Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

P.V. Tel of Florida, LLC

3. Name under which the applicant will do business (fictitious name, etc.):

P.V. Tel of Florida, LLC

4. Official mailing address (including street name & number, post office box, city, state, zip code):

1999 East Stone Drive, Suite 419

Kingsport, Tennessee 37660

5. Florida address (including street name & number, post office box, city, state, zip code):

c/o CT Corporation System, 1200 South Pine Island Road, Plantation, FL 33324

6. Structure of organization:

- ( ) Individual ( ) Corporation  
( ) Foreign Corporation ( ) Foreign Partnership  
( ) General Partnership ( ) Limited Partnership  
( X ) Other Limited Liability Company

7. **If individual**, provide:

Name: Not applicable.

Title: \_\_\_\_\_

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

City/State/Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Internet E-Mail Address: \_\_\_\_\_

Internet Website Address: \_\_\_\_\_

8. **If incorporated in Florida**, provide proof of authority to operate in Florida:

- (a) **The Florida Secretary of State corporate registration number:**

L99000002420

9. **If foreign corporation**, provide proof of authority to operate in Florida:

- (a) **The Florida Secretary of State corporate registration number:**

Not applicable.

10. **If using fictitious name-d/b/a**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:

(a) **The Florida Secretary of State fictitious name registration number:**

Not applicable.

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11. **If a limited liability partnership**, provide proof of registration to operate in Florida:

(a) **The Florida Secretary of State registration number:**

Not applicable.

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12. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

Name: Not applicable.

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Title: \_\_\_\_\_

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

City/State/Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Internet E-Mail Address: \_\_\_\_\_

Internet Website Address: \_\_\_\_\_

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) **The Florida registration number:** Not applicable.

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14. Provide **F.E.I. Number**(if applicable): Federal EIN: 62-1755090

15. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. Provide explanation.

None.

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(b) an officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

G. Scott Brodey -- Intermedia Communications, Inc. Director. Services no longer required.

KMC Telecom, Inc. Vice President of Corporate Development. Services no longer required.

Joseph Buck / William Byrd -- ICG. Minor stockholders.

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16. Who will serve as liaison to the Commission with regard to the following?

(a) The application:

Name: Joseph T. Buck, III

Title: President and Chief Operating Officer

Address: 1999 East Stone Drive, Suite 419

City/State/Zip: Kingsport, Tennessee 37660

Telephone No.: (423) 578-1961 Fax No.: (423) 578-1966

Internet E-Mail Address: JoeBuck@pvtel.net

Internet Website Address: www.pvtel.net

(b) Official point of contact for the ongoing operations of the company:

Name: Joseph T. Buck, III

Title: President and Chief Operating Officer

Address: 1999 East Stone Drive, Suite 419

City/State/Zip: Kingsport, Tennessee 37660

Telephone No.: (423) 578-1961 Fax No.: (423) 578-1966

Internet E-Mail Address: JoeBuck@pvtel.net

Internet Website Address: www.pvtel.net

(c) Complaints/Inquiries from customers:

Name: Joseph T. Buck, III

Title: President and Chief Operating Officer

Address: 1999 East Stone Drive, Suite 419

City/State/Zip: Kingsport, Tennessee 37660

Telephone No.: (423) 578-1961 Fax No.: (423) 578-1966

Internet E-Mail Address: JoeBuck@pvtel.net

Internet Website Address: www.pvtel.net

17 List the states in which the applicant:

(a) has operated as an alternative local exchange company.

None. Affiliates of Applicant have operated in South Carolina and in

Tennessee (as a reseller and provider of operator services).

(b) has applications pending to be certificated as an alternative local exchange company.

None. Affiliates of Applicant have applications pending in Tennessee,

Kentucky and Alabama.

(c) is certificated to operate as an alternative local exchange company.

None. Affiliates of Applicant have certificates in South Carolina and

Tennessee (as a reseller and provider of operator services).

- 
- (d) has been denied authority to operate as an alternative local exchange company and the circumstances involved.

No denials.

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- (e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

None. Pursuant to a negotiated settlement between the Tennessee affiliate of Applicant and Tennessee Regulatory Authority staff, one alleged incident of slamming (disputed by the Tennessee affiliate) will be dismissed in six months if no other complaints arise.

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- (f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

None.

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18. Submit the following:

A. Financial capability.

The application **should contain** the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer affirming that the financial statements are true and correct and should include:

1. the balance sheet:
2. income statement: and

3. statement of retained earnings.

**NOTE:** *This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.*

Further, the following (which includes supporting documentation) should be provided:


1. **written explanation** that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
  2. **written explanation** that the applicant has sufficient financial capability to maintain the requested service.
  3. **written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.
- B. Managerial capability: give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.
- C. Technical capability: give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.



**\*\* APPLICANT ACKNOWLEDGMENT 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 gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 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:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

**UTILITY OFFICIAL:**

	<u>5/14/99</u>
Signature Joseph T. Buck, III	Date
<u>President and Chief Operating Officer</u>	<u>(423) 578-1961</u>
Title	Telephone No.
Address: <u>1999 East Stone Drive</u>	<u>(423) 578-1966</u>
<u>Suite 419</u>	Fax No.
<u>Kingsport, Tennessee 37660</u>	

**ATTACHMENTS:**

- A - CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT
- B - INTRASTATE NETWORK
- C - AFFIDAVIT
- GLOSSARY

**CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT**

Not applicable because this is an original certificate.

I, (Name) \_\_\_\_\_,

(Title) \_\_\_\_\_ of (Name of Company)

\_\_\_\_\_ and current holder of Florida Public Service Commission Certificate Number # \_\_\_\_\_, have reviewed this application and join in the petitioner's request for a:

- ( ) sale
- ( ) transfer
- ( ) assignment

of the above-mentioned certificate.

**UTILITY OFFICIAL:**

  
Signature

5/19/99  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone No.

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

\_\_\_\_\_  
Fax No.

**\*\* APPENDIX B \*\***

Not applicable. No facilities located in Florida yet.

**INTRASTATE NETWORK** (if available)

Chapter 25-24.825 (5), Florida Administrative Code, requires the company to make available to staff the alternative local exchange service areas only upon request.

**1. POP:** Addresses where located, and indicate if owned or leased.

1) _____	2) _____
_____	_____
3) _____	4) _____
_____	_____

**2. SWITCHES:** Address where located, by type of switch, and indicate if owned or leased.

1) _____	2) _____
_____	_____
3) _____	4) _____
_____	_____

**3. TRANSMISSION FACILITIES:** POP-to-POP facilities by type of facilities (microwave, fiber, copper, satellite, etc.) and indicate if owned or leased.


<u>POP-to-POP</u>	<u>OWNERSHIP</u>
1) _____	_____
2) _____	_____
3) _____	_____
4) _____	_____

**AFFIDAVIT**

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative local exchange company service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

**Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."**

UTILITY OFFICIAL:

	<u>5/14/99</u>
Signature <u>Joseph T. Buck, III</u>	Date
<u>President and Chief Operating Officer</u>	<u>(423) 578-1961</u>
Title	Telephone No.
Address: <u>1999 East Stone Drive</u>	<u>(423) 578-1966</u>
<u>Suite 419</u>	Fax No.
<u>Kingsport, Tennessee 37660</u>	



**FLORIDA DEPARTMENT OF STATE**

**Katherine Harris**  
Secretary of State

April 29, 1999

MELISSA EDWARDS  
BEARFIELD & MCCLELLAN  
POST OFFICE BOX 4210 CRS  
JOHNSON CITY, TN 37602

The Articles of Organization for P.V. TEL OF FLORIDA, LLC were filed on April 26, 1999, and assigned document number L99000002420. Please refer to this number whenever corresponding with this office.

The certification you requested is enclosed.

A limited liability annual report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number will be required before this report can be filed. Please apply NOW with the Internal Revenue Service by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the limited liability company address changes, it is the responsibility of the limited liability to notify this office.

Should you have any questions regarding this matter, please telephone (850) 487-6051, the Registration Section.

Michelle Hodges  
Document Specialist  
Division of Corporations

Letter Number: 099A00022961

# State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Organization of P.V. TEL OF FLORIDA, LLC, a limited liability company organized under the laws of the state of Florida, filed on April 26, 1999, as shown by the records of this office.

The document number of this limited liability company is L99000002420.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Twenty-ninth day of April, 1999



OR2EO22 (1-98)

*Katherine Harris*  
Katherine Harris  
Secretary of State

# P.V. TEL OF FLORIDA, LLC

## ARTICLES OF ORGANIZATION FOR LIMITED LIABILITY COMPANY

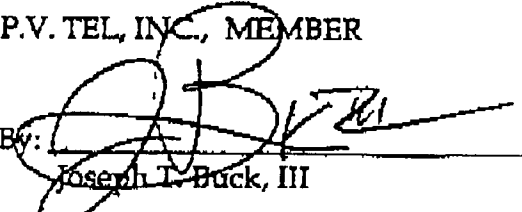
FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
99 APR 26 AM 11:04

PURSUANT TO SECTION 608.407 OF THE FLORIDA LIMITED LIABILITY COMPANY ACT, THE UNDERSIGNED HEREBY ADOPTS THE FOLLOWING ARTICLES OF ORGANIZATION.

- Article I The name of the Limited Liability Company is P.V. Tel of Florida, LLC.
- Article II The mailing address and street address of the principal office is P.V. Tel of Florida, LLC, 1999 East Stone Drive, Suite 419, Kingsport, Tennessee 37660.
- Article III The duration of the Limited Liability Company shall be perpetual.
- Article IV The Limited Liability Company is to be managed by the sole member. The name and address of the sole managing member is P.V. Tel, Inc., 1999 East Stone Drive, Suite 419, Kingsport, Tennessee 37660.
- Article V The members shall be able to admit such additional members as they shall in their sole discretion see fit.
- Article VI The remaining members are given no specific continuation rights other than those granted by statute.
- Article VII The undersigned member of P.V. Tel of Florida, LLC, certifies as follows:
  1. The above named Limited Liability Company has at least one member.
  2. The total amount of cash contributed by the member is \$1,000.
  3. No property other than cash has been contributed.
  4. The total amount of cash and property contributed and anticipated to be contributed by members is \$1,000.

IN WITNESS THEREOF, the undersigned member executed these Articles of Organization on this the 22 day of April, 1999.

P.V. TEL, INC., MEMBER

By:   
 Joseph T. Buck, III

In accordance with Section 608.408(3), Florida Statutes, the execution of this affidavit constitutes an affirmation under the penalties of perjury that the facts stated herein are true.

# P.V. TEL OF FLORIDA, LLC

## CERTIFICATE OF DESIGNATION OF REGISTERED AGENT AND REGISTERED OFFICE

PURSUANT TO THE PROVISIONS OF SECTION 608.415 OR 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT TO DESIGNATE A REGISTERED OFFICE AND REGISTERED AGENT IN THE STATE OF FLORIDA.

1. The name of the limited liability company is P.V. Tel of Florida, LLC.
2. The name and the Florida street address of the registered agent are:

CT Corporation System  
 1200 South Pine Island Road  
 Plantation, Florida 33324

*Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, 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 relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.*

Mary R. Adams  
 \_\_\_\_\_ for CT Corporation System  
**MARY R. ADAMS**  
**ASSISTANT SECRETARY**



## Financial Capability

P.V. Tel is financially qualified to provide telecommunications services within the State of Florida. Specifically, it has access to the capital required to fulfill any obligations it may undertake with respect to the operation and maintenance of its network and services throughout the State of Florida, including any lease or ownership obligations it may undertake. As evidenced by the financial statements attached hereto, as of March 31, 1999, P.V. Tel, Inc., P.V. Tel's parent, had more than \$840,000 in assets, including more than \$200,000 in cash. In addition, P.V. Tel, Inc. is in the process of raising substantially more capital from private investors. P.V. Tel will have direct access to this additional capital, which will be used to fund its operations and maintain its statewide service.

455:21:66-AM-02

# P. V. TEL, INC.

## CONSOLIDATED BALANCE SHEET

March 1999

**CURRENT ASSETS**

Merrill Lynch Checking Account		\$207,740.48
First American Checking Account		\$1,498.15
Accounts Receivable		\$101,810.88

**FIXED ASSETS**

Computer Equipment	\$30,806.63	
Furniture & Fixtures	\$29,781.08	
Switching Equipment	\$384,170.70	
Outside Plant Equipment	\$36,953.80	
<b>Total Fixed Assets</b>		<b>\$481,712.91</b>

**ACCUMULATED DEPRECIATION****LETTERS OF CREDIT**

Telco L.O.C.	\$50,000.00	
<b>Total Letters Of Credit</b>		<b>\$50,000.00</b>

**OTHER ASSETS**

Security Deposits	\$1,325.00	
<b>Total Other Assets</b>		<b>\$1,325.00</b>

**TOTAL ASSETS****\$844,084.92****CURRENT LIABILITIES**

Accounts Payable	\$124,238.08	
Customer Deposits Payable	\$3,075.21	
Sales Tax Payable	\$8,138.14	
Federal Excise Tax Payable	\$3,472.61	
City/County Tax Payable	\$228.79	
Federal Withholding Tax Payable	-\$1,131.37	
Social Security Tax Payable	-\$2,081.76	
Medicare Tax Payable	-\$421.91	
<b>Total Current Liabilities</b>		<b>\$133,520.79</b>

**LONG TERM LIABILITIES**

Line Of Credit - WCMA	\$0.00	
Line Of Credit - Other	\$0.00	
Switching Equipment	\$253,280.25	
Equipment Leased	\$54,781.75	
Salaries Payable - Bill Byrd	\$56,868.64	
Salaries Payable - Joe Buck	\$56,868.64	
Salaries Payable - Paul Reynolds	\$56,868.64	
<b>Total Long Term Liabilities</b>		<b>\$478,091.92</b>
<b>TOTAL LIABILITIES</b>		<b>\$611,652.71</b>

**OWNER'S EQUITY**

Retained Earnings	\$232,532.21	
<b>Total Owner's Equity</b>		<b>\$232,532.21</b>

**TOTAL LIABILITY & EQUITY****\$844,084.92**

20-MAY-99 02:21:21

# P. V. TEL, INC.

## CONSOLIDATED PROFIT & LOSS STATEMENT

March 1999

**INCOME**

Late Fees Collected	\$1,136.69	
Total Income		\$1,136.69

**INCOME - SALES**

Sales - Prepaid	\$56,462.40	
Sales - LD 1+800 Service	\$29,245.60	
Sales - Local Service	\$50,979.38	
Sales - Switched Interstate	\$23,805.87	
Sales - Switched Intrastate	\$10,719.99	
Sales - Switched International	\$1,210.80	
Total Income - Sales		\$115,961.44

**COST OF GOODS SOLD**

COGS - Prepaid	\$7,222.32	
COGS - Interconnect/Wiring	\$0.00	
COGS - ISDN Frame Relay	\$2,712.50	
COGS - LD 1+800 Service	\$33,727.09	
COGS - Local Service	\$41,509.17	
COGS - Switched Interstate	\$26,297.85	
COGS - Switched Intrastate	\$13,903.10	
COGS - Switched international	\$2,993.81	
COGS - Travel Cards	\$1,745.32	
COGS - Discounts	\$0.00	
Total COGS		\$130,110.96

**GROSS PROFIT****-\$14,149.52****EXPENSES**

Discounts Taken	\$0.00	
Freight & Shipping	\$228.37	
Late Fees Paid	\$0.00	
Accounting Fees	\$0.00	
Advertising Expense	\$907.00	
Bad Debts Expense	\$0.00	
Bank Service Charges	\$248.18	
Business - Entertainment	\$0.00	
Business - Meals	\$241.93	
Business - Tips	\$4.00	
Business - Travel (Auto)	\$597.03	
Business - Parking	\$0.00	
Business - Travel (Air)	\$0.00	
Business - Lodging	\$400.21	
Business - Car Rental	\$131.76	
Business - Miscellaneous	\$14.18	
Contributions - Charitable	\$0.00	
Contributions - Political	\$0.00	
Depreciation Expense	\$0.00	
Dues & Memberships	\$0.00	
Employee - Moving Expense	\$0.00	
Insurance - General	\$1,448.00	
Insurance - Disability	\$0.00	
Insurance - Group Health	\$1,808.52	
Insurance - Group Dental	\$200.22	

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Insurance - Group Life	\$94.40	
Insurance - Officer Health	\$1,012.02	
Insurance - Officer Dental	\$145.32	
Insurance - Officer Life	\$28.80	
Interest Expense	\$11,145.26	
Legal Fees	\$4,885.03	
Messenger Service	\$0.00	
Office Expense - Other	\$1,314.29	
Outside Labor & Material	\$7,389.75	
Parking Expense	\$0.00	
Pension Plan Expense	\$0.00	
Postage Expense	\$2,018.60	
Promotion Expense	\$0.00	
Rent Expense	\$1,880.00	
Rental Expense - Equipment	\$1,632.89	
Repairs & Maintenance Expense	\$624.88	
Reproduction & Printing Expense	\$1,459.02	
Salaries - Agency Temporary Fees	\$5,011.31	
Salaries - Commissions	\$0.00	
Salaries - Officers	\$19,999.99	
Salaries - Staff	\$27,274.55	
Salaries - Partners	\$0.00	
Salaries - Advances	-\$700.00	
Storage Expense	\$0.00	
Subscriptions Expense	\$75.48	
Supplies - Office	\$1,917.57	
Supplies - Other	\$335.89	
Taxes - Personal Property	\$0.00	
Taxes - Payroll - Social Security	\$3,127.58	
Taxes - Payroll - Medicare	\$737.25	
Taxes - Payroll - Other	\$0.00	
F.U.T.A. Expense	\$0.00	
State Unemployment Tax	\$0.00	
Taxes - Real Estate	\$0.00	
Taxes & Licenses - Other	\$0.00	
Telephone Expense	\$458.26	
Utilities Expense	\$84.99	
Billing Fees	\$0.00	
Loan Fees	\$0.00	
Other Fees	\$8,897.01	
Commissions Expense	\$11,451.00	
<b>Total Expenses</b>		<b>\$119,086.44</b>
<b>OTHER INCOME</b>		
Finance Charges	\$0.00	
Gain/Loss on Sale Of Assets	\$0.00	
Interest Earned	\$0.00	
Miscellaneous	\$88.64	
<b>Total Other Income</b>		<b>\$88.64</b>
<b>OTHER EXPENSES</b>		
Federal Income Tax	\$0.00	
State Income Tax	\$0.00	
Writeoffs	\$3,928.60	
<b>Total Other Expenses</b>		<b><u>\$3,928.60</u></b>
<b>TOTAL EXPENSES</b>		<b><u>\$123,013.04</u></b>
<b>NET PROFIT/LOSS</b>		<b>-\$137,063.92</b>

20-MAY-99 12:35P

**P. V. Tel, Inc.**  
**Consolidated Balance Sheet**  
**March 1999**

**Retained Earnings** **\$232,532.21**

Each of the undersigned officers of P.V. Tel, INC., the parent of P.V. Tel of Florida, LLC, hereby affirms that, to the best of his knowledge and belief, the unaudited financial statements attached hereto are true and correct.

**P.V. TEL, INC.**

By: 

Joseph T. Buck  
President

By: 

Andrew Halko  
Acting Chief Financial Officer

## Managerial and Technical Capabilities

P.V. Tel's management team has approximately 80 years of combined experience in all aspects of the telecommunications industry, including nearly twenty years of experience with a Bell company. As illustrated below, P.V. Tel's management personnel have held a broad range of executive positions with a number of companies in the telecommunications industry before joining P.V. Tel, which enables them to implement and provide the services for which authority is requested. The management team currently operates P.V. Tel's affiliate, Myrtle Beach Telephone, L.L.C., a CLEC certified to provide a full array of telecommunications services in South Carolina.

P.V. Tel's management team is as follows:

### **G. Scott Brodey - Chairman and Chief Executive Officer**

Mr. Brodey has had a long history in the telecommunications industry. Since 1990, he has been a consultant with Teeger Marscot, Inc. (which he founded), which specializes in all facets of the CLEC industry. He recently completed nine months consulting with a southwest CLEC, where he assisted the company with a \$350 million senior debt placement, three acquisitions, and the build-out of seven cities. During the last four months with that company, he served as Senior Vice President of Network Operations.

From 1995 through 1997, Mr. Brodey served as a consultant to KMC Telecom, Inc. For KMC, he secured its first franchise in Huntsville, Alabama, recruited the initial personnel, and oversaw the construction of a 52-mile SONET fiber ring. He also helped assist in the initial debt and equity financing for KMC. Mr. Brodey served as Executive Vice President of Corporate Development for KMC from 1996 through 1997.

From 1985 through 1990, Mr. Brodey was President and CEO of Institutional Communications Company, the first competitive access provider. For ICC, he raised \$35 million. He also assisted the founders of Intermedia Communications, Inc. and Eastern Telelogic Corp. in their start-up stages. ICC was acquired by Metropolitan Fiber Systems, now part of MCI/WorldCom.

From 1982 through 1995, Mr. Brodey was the President and COO of Lin Communications Company, a wireless telecommunications company. At Lin, he was responsible for the operation of five companies located across the country.

From 1979 through 1982, Mr. Brodey worked with RCA Globcom Communications Company, where he eventually served as Vice President of Marketing and Sales and COO. From 1973 through 1979, he was employed by MCI Telecommunications Company, where he was COO of a subsidiary and as Vice President and General Manager of the Mid-West region.

### **Joseph T. Buck III - President and Chief Operating Officer**

Mr. Buck was an original founder and vice-president of PrivaCom, Inc. ("PrivaCom"). PrivaCom began as PrivaCom Ventures in 1989, a South Carolina corporation, which was subsequently re-incorporated as PrivaCom, Inc. in 1990, to establish a state-of-the-art fiber optic telecommunications network in Charlotte, North Carolina. PrivaCom was the first CLEC in North Carolina. PrivaCom constructed and operated its Charlotte network until 1993 when it was sold to ICG Access Services. This network remains in full operation today. Before helping found PrivaCom, he helped found CCSI, a systems integration company located in Orlando, Florida. Mr. Buck's experience includes ten years with Bell Atlantic in various engineering and management positions, as well as seven years in various sales management positions with such companies as L.M. Ericsson, Telco Systems, Stromberg-Carlson, and Martin Marietta Data Systems. At Martin Marietta, Mr. Buck participated in the formation of the CAP industry. Mr. Buck and his management team assisted in the formation of Intermedia of Florida as well as several other newly formed CAPs. That industry has evolved into the CLEC industry of today.

Mr. Buck is a NARTE (National Association of Telecommunications Engineers) certified telecommunications engineer and a licensed FCC radio operator. Mr. Buck attended Northern Virginia Community College.

### **Andrew J. Halko, CPA - Acting Chief Financial Officer**

Mr. Halko has successfully overseen a number of start-up operations. Most recently, he has served as the Acting CFO of Logix Communications Corporation, a telecommunications company, where he managed the accounting and financial operations of Logix and its five affiliate companies. From 1995 through 1998, he was CFO of NetCom Solutions International, Inc., another telecommunications company. He managed the accounting and financial operations and negotiated and managed the company's credit facilities. The company grew to \$35 million under his watch. From 1992 through 1994, he was CFO of S. Systems Corporation, where he designed and implemented a new job cost accounting system, managed the company's treasury activities, and oversaw the company's relocation of its finance and administrative operations.

### **William A. Byrd - Vice President - Corporate Development**

Mr. Byrd was an original founder and president of PrivaCom. Before helping to start PrivaCom, Mr. Byrd was employed at South Carolina Electric and Gas and at SCANA Corporation, where he founded MPX Systems, a wholly owned SCANA subsidiary. Mr. Byrd was manager of telecommunications engineering and operations and was responsible for the placement of over 1000 miles of optical power ground wire for use by such companies as MCI, Telecom USA and AT&T. He holds several U.S. patents for the design of tolls and apparatus necessary for the installation of such fiber cables. Under Mr. Byrd's guidance, MPX turned profitable in fourteen months.



Mr. Byrd is a member of many telecommunications industry organizations. He is currently Chairman of the Institute of Electrical and Electronic Engineers Fiber Optic Work Group and a representative of the Edison Electric Institute to IEC TC-83 and 86, which are setting international standards for fiber optics and advanced systems technology. Mr. Byrd is an Electrical Engineering graduate of the Citadel with over twenty years of engineering and management experience.

**Paul A. Reynolds - Vice-President - Technology**

Mr. Reynolds has more than ten years of telecommunications engineering and marketing experience. Mr. Reynolds's experience includes 9 years with Waccamaw Corporation in various engineering and management positions. Specifically, he spent 4 years in telecommunications facilities management before progressing into management. Mr. Reynolds was responsible for all aspects of Waccamaw's corporate and outlying telecommunications facilities, including the management of a multi-million dollar network expansion effort. Mr. Reynolds left Waccamaw in 1997 to form NPR Corporation, a telecommunications consulting company located in South Carolina.

Mr. Reynolds is a BA graduate of the University of South Carolina with an Engineering minor. Mr. Reynolds currently serves on the South Carolina Telecommunications Managers Association Board of Directors.

**W. Kurt DeMann - Engineering Manager**

Mr. DeMann has more than 23 years of experience in the telecommunications industry. Mr. DeMann began his career in 1975 with Sprint-United telephone company where he served in various technical as well as management positions. In 1986 Mr. DeMann became Director of Construction Programs and Network Systems where he managed a \$600 million capital budget for United. In 1993, Mr. DeMann became Director of Engineering for Sprint-Mid Atlantic where he managed the installation, design and operation of Sprint's switching networks throughout the Southeast. Mr. DeMann has managed several major ATM network projects and has extensive switching and network design experience.

**Sherron R. Buck - Vice President of Customer Service**

Mrs. Buck has more than ten years of experience in the telecommunications industry in customer service and order administration. Mrs. Buck's experience includes eight years with Bell Atlantic in various management positions. Specifically, she spent more than five years as a business office representative for Bell Atlantic and as a customer service representative before progressing into management of the business office. As a Business Office Supervisor, she managed groups of representatives and handled all aspects of order entry between the field forces and the engineering and plant departments.

DEPOSIT

DATE

D139

MAY 20 1999

APPLICATION

1. This is an application for  (check one):

990651-TX

( x ) Original certificate (new company).

( ) Approval of transfer of existing certificate: Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority.

( ) Approval of assignment of existing certificate: Example, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.

( ) Approval of transfer of control: Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

P.V. Tel of Florida, LLC

3. Name under which the applicant will do business (fictitious name, etc.):

P.V. Tel of Florida, LLC

4. Official mailing address (including street name & number, post office box, city, state, zip code):

1999 East Stone Drive, Suite 419

Kingsport, Tennessee 37660

0823

P. V. TEL, INC.  
1999 E STONE DR  
KINGSPORT, TN 37660

**WCMA** Working Capital Management Account

DATE 5/18/99 25-80/440

33324

PAY TO THE ORDER OF State of Florida  
Two hundred, fifty

\$ 250.00

DOLLARS  Security features included. Details on back.

**Merrill Lynch**  
**BANK ONE** BANK ONE, COLUMBUS, NA  
Columbus, Ohio 43271

MEMO  
⑈000823⑈

STATE OF FLORIDA

Commissioners:  
JOE GARCIA, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
JULIA L. JOHNSON  
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770

## Public Service Commission

May 21, 1999

Vicki Gordon Kaufman, Attorney  
McWhirter Reeves  
117 South Gadsden  
Tallahassee, Florida 32301

Re: Docket No. 990651-TX

Dear Mr. Kaufman:

This will acknowledge receipt of an application for certificate to provide alternative local exchange telecommunications service by P.V. Tel of Florida, LLC, which was filed with this office on May 20, 1999 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Please make notes as well that Commission Rule 25-22.005(7), F.A.C., requires certificated companies to notify the Commission of any changes in name, telephone, address, or contact person. Should your application be granted by the Commission, you will be expected to comply with this rule by advising us of any changes as they occur.

Division of Records and Reporting  
Florida Public Service Commission