

LAW OFFICES
MESSER, CAPARELLO & SELF
A PROFESSIONAL ASSOCIATION

215 SOUTH MONROE STREET, SUITE 701
POST OFFICE BOX 1876
TALLAHASSEE, FLORIDA 32302-1876
TELEPHONE: (850) 222-0720
TELECOPIERS: (850) 224-4359; (850) 425-1942
INTERNET: www.lawfla.com

January 4, 2000

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RECORDS AND
REPORTING

BY HAND DELIVERY

Ms. Blanca Bayo, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

000015-TX

Re: Application of Tel-Phone Communications, Inc. for ALEC Certificate

Dear Ms. Bayo:

Enclosed for filing is the original and 6 copies of an application for an ALEC Certificate for Tel-Phone Communications, Inc.. The application fee is also enclosed.

Included with the application is a balance sheet with information specific to a private business affiliated with the applicant. The financial information with respect to the affiliate is considered proprietary and thus we request that it be so treated. A redacted version has been included with the application.

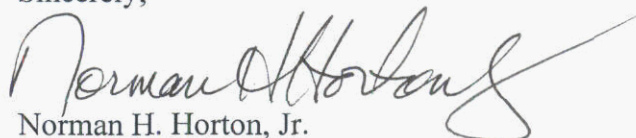
Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing. Should you have any questions, please do not

hesitate to call me. my and
forwarded to Fiscal for deposit.
Fiscal to forward a copy of check
to RAR with proof of deposit.

Initials of person who forwarded check:
W.S.

Sincerely,


Norman H. Horton, Jr.

NHH/amb
Enclosure
cc: Mr. Gary Pretner

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DOCUMENT NUMBER-DATE
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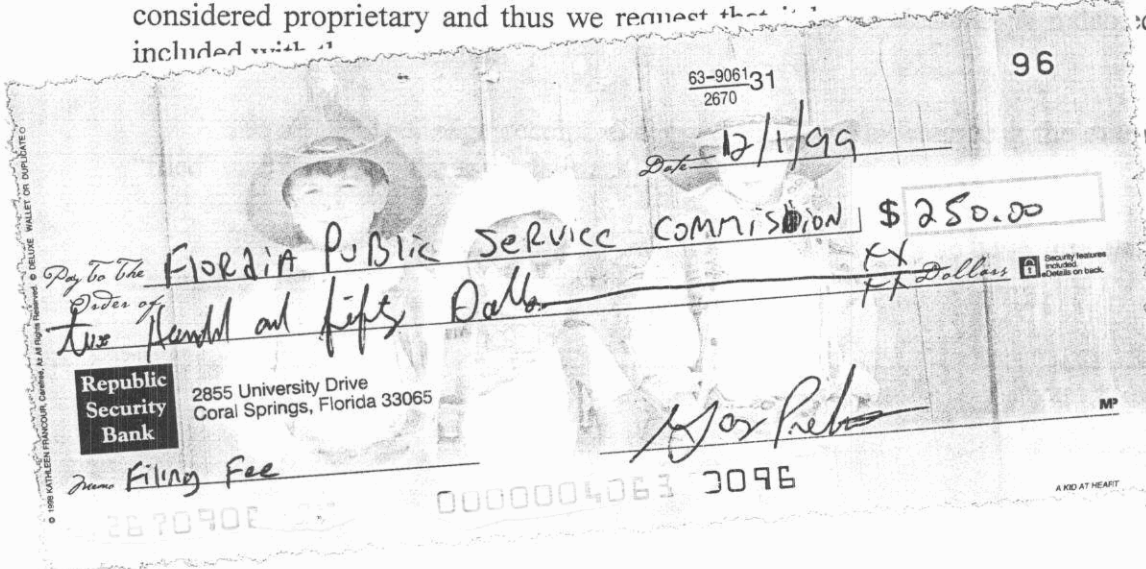
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cc: Mr. Gary Pretner

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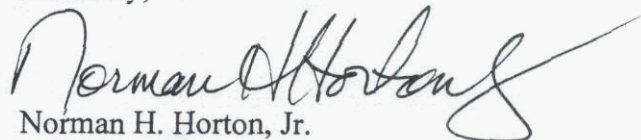
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Sincerely,


Norman H. Horton, Jr.

NHH/amb
Enclosure

cc: Mr. Gary Pretner

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DOCUMENT NUMBER-DATE

00085 JAN-48

FPSC-RECORDS/REPORTING

This claim of confidentiality was filed by or on behalf of a telecommunications company for Confidential Document No. 000015-T. The document has been placed in locked storage pending staff advice on handling. Your name must be on the CASR to access the material. If it is undocketed, your division director must obtain written permission from the EXD/Tech before you can access it.

RECORDS AND
REPORTING

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ORIGINAL

**** FLORIDA PUBLIC SERVICE COMMISSION ****

DIVISION OF TELECOMMUNICATIONS
BUREAU OF CERTIFICATION AND SERVICE EVALUATION

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

Instructions

- ◆ This form is used as an application for an original certificate and for approval of the assignment or transfer of an existing certificate. In the case of an assignment or transfer, the information provided shall be for the assignee or transferee (See Appendix A).
- ◆ Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.
- ◆ Use a separate sheet for each answer which will not fit the allotted space.
- ◆ Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of **\$250.00** to:

Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770

- ◆ If you have questions about completing the form, contact:

Florida Public Service Commission
Division of Telecommunications
Bureau of Certification and Service Evaluation
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600

DOCUMENT NUMBER-DATE
00085 JAN-48
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APPLICATION

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:

Tel-Phone Communications, Inc.

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

Tel-Phone Communications

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

8845 NW 39th Place

Coral Springs, FL 33065

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

6. Structure of organization:

- Individual Corporation
- Foreign Corporation Foreign Partnership
- General Partnership Limited Partnership
- Other _____

7. **If individual**, provide:

Name: _____ N/A

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:**

_____ 99000099338

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

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

_____ N/A

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:**

N/A

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

(a) The Florida Secretary of State registration number:

N/A _____

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

Name: _____ N/A _____

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: _____ N/A _____

14. Provide **F.E.I. Number**(if applicable): _____ N/A _____

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.

No

(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.

No

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

(a) The application:

Name: Helene Quóma

Title: Vice President

Address: 8845 NW 39th Place

City/State/Zip: Coral Springs, FL 33065

Telephone No.: (954)796-8800 **Fax No.:** (954)753-4329

Internet E-Mail Address: nuggets@bellsouth.net

Internet Website Address:

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

Name: Gary Pretner

Title: President

Address: 8845 NW 39th Place

City/State/Zip: Coral Springs, FL 33065

Telephone No.: (954)796-8800 **Fax No.:** (954)753-4329

Internet E-Mail Address: nuggets@bellsouth.net

Internet Website Address: _____

(c) **Complaints/Inquiries from customers:**

Name: _____ Gary Pretner

Title: _____ President

Address: _____ 8845 NW 39th Place

City/State/Zip: _____ Coral Springs, FL 33065

Telephone No.: _____ (954)796-8802 **Fax No.:** _____ (954)753-4329

Internet E-Mail Address: _____ nuggets@bellsouth.net

Internet Website Address: _____

17. **List the states in which the applicant:**

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

_____ N/A

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

_____ N/A

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

_____ N/A

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

No

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

No

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

No

18. Submit the following: See attached portions from business plan.

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:

Signature	<u><i>[Signature]</i></u>	Date	<u>12/1/99</u>
Title	<u>President</u>	Telephone No.	<u>(954) 796-8800</u>
Address:	<u>8845 8845 NW 39 PL CORAL SPRINGS</u>	Fax No.	<u>954-7534329</u>
	<u>FLA 33065</u>		

ATTACHMENTS:

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

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) _____	_____

IV. Management Personnel

Helene Mae Quoma

Mrs. Quoma has had extensive experience in management and supervision prior to entering the telecommunications industry in 1994. From 1994 to 1998 she was employed by BellSouth Mobility. Mrs. Quoma's initial assignment was in Customer Financial Services as an Assistant Manager. She was cross-trained in Customer Service, Loss Prevention and Welcome. She was promoted to Cycle Manager and assumed collection responsibility for over \$72 million annually.

While employed by BellSouth Mobility, she started A & H Beeper and Cellular Accessories, Inc. Since the establishment of this operation, six years ago, A & H has grown to a four-store chain. Each unit is fully equipped with a repair facility.

Gary Pretner

Mr. Pretner attended the University of Miami and earned a Bachelor Degree in 1981. He has been employed in the telecommunications industry since 1983. Presently, For the past five years, Mr. Pretner has been employed as a marketing manager at the largest radio communications carrier in the state of Florida. Prior to his current employment, Mr. Pretner has been involved in all aspects of sales and marketing in the telecommunications industry. He served as a General Manager of MCI WorldCom for five years, and as a Sales Manager for Bell Atlantic Mobile Systems, also for five years.

V. Financial Resumes

It is understood by the Company that organizational and promotional costs will be incurred prior to the generation of cash flow from operations. It is further understood that accounts receivable and reserves for doubtful accounts will need to be initially financed from sources other than operational revenues.

To this end, Mr. Gary Pretner, a founding shareholder, has pledged approximately \$186,000 in liquid assets contained in a Merrill Lynch Asset Management Account to be utilized for startup costs and to fund the growth of the Company. The funds in the abovementioned Account are totally unencumbered and available to the Company as needed. Additionally, Mr. Pretner has agreed to defer any personal compensation until such time as said compensation can be paid from operational revenues.

Mrs. Quoma, a founding shareholder, has also agreed to defer any personal compensation until such time as said compensation can be paid from operational revenues. Additionally, she has pledged to make available the net resources of A & H Beeper and Cellular Accessories, Inc. Store #1 for the purposes outlined in the first paragraph of this section. The following pages contain the assembled financial statements prepared by the accountants for A & H. The balance sheets and income statement are dated October 31, 1999. It should be noted that the business is seasonal and the weeks following Thanksgiving to the end of the calendar year account for a considerable portion of the company's revenue.

A & H Beeper & Cellular, Inc.
Balance Sheets
as of October 31, 1999

ASSETS

Current Assets

Cash	\$	
Accounts receivable - employee		
Inventory		
Total Current Assets		

	\$	

Fixed Assets

Furniture and fixtures		
Computer equipment		
Leasehold improvements		

Less: accumulated depreciation		
--------------------------------	--	--

Net Fixed Assets

Other Assets

Utility deposits		
Deposits for mobile		
Total Other Assets		

Total Assets

	\$	
--	----	--

LIABILITIES & STOCKHOLDERS' EQUITY

Current Liabilities

Accrued payroll tax	\$	
Accrued FUTA		
Accrued SUTA		
Accrued Sales Tax		
Total Current Liabilities		

	\$	

Stockholders' Equity

Capital Stock		
Additional paid in capital		
Retained earnings		
Total Stockholders' Equity		

Total Liabilities & Stockholders' Equity

	\$	
--	----	--

A & H Beeper & Cellular, Inc.
Income Statement
for the month ended October 31, 1999

Net Sales	\$ [REDACTED]
Cost of Sales	
Purchases	[REDACTED]
Airtime purchases	[REDACTED]
Shop supplies	[REDACTED]
Subcontract	[REDACTED]
Maintenance on equipment	[REDACTED]
Total Cost of Sales	[REDACTED]
Gross Profit	[REDACTED]
Selling, General & Administrative Expenses	[REDACTED]
Operating Income	\$ [REDACTED]

The Company is currently in a development stage. The unaudited balance sheets are presented below:

Tel-Phone Communications, Inc.
Balance Sheets
as of December 15, 1999

Assets	
Cash	\$ 4,700.00
Organizational costs	<u>1,000.00</u>
Total Assets	<u>\$ 5,700.00</u>
Stockholders' Equity	
Common Stock	200.00
Additional paid in capital	<u>5,500.00</u>
Total Stockholders' Equity	<u>\$ 5,700.00</u>