

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

ORIGINAL

3000 K STREET, NW, SUITE 300  
WASHINGTON, DC 20007-5116  
TELEPHONE (202) 424-7500  
FACSIMILE (202) 424-7647

NEW YORK OFFICE  
THE CHRYSLER BUILDING  
405 LEXINGTON AVENUE  
NEW YORK, NY 10174

September 18, 2000

VIA OVERNIGHT MAIL

Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0870

001431-72

**Re: Application of DLC Enterprises, Inc. d/b/a Direct Link Communications, Inc. for Authority to Provide Interexchange Telecommunications Service in Florida**

Dear Ms. Bayo:

Enclosed for filing on behalf of DLC Enterprises, Inc. d/b/a Direct Link Communications, Inc. ("DLC") please find an original and five (5) copies of DLC's application for authority to provide interexchange telecommunications service in Florida. Also, enclosed is a check in the amount of \$250.00 to cover the requisite application filing fee.

Pursuant to Section 364.183 of the Florida Statutes and Section 22.006 of the Commission's Rules of Practice and Procedure, DLC is requesting confidential treatment of its financial statements which are attached as Exhibit A to its application. DLC is filing one copy of its financial statements in a sealed envelope marked "Confidential." The financial statements contain proprietary, commercially sensitive information that, if disseminated, could be used to the DLC's detriment by competitors. DLC therefore respectfully requests that the Commission treat its financial statements as sensitive and proprietary data and not disclose them to the public.

Please date-stamp the enclosed extra copy of this filing and return in the self-addressed, stamped envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact Brett P. Ferenchak at (202) 424-7697.

Respectfully submitted,

Rachel D. Flam  
Brett P. Ferenchak

Counsel for DLC Enterprises, Inc.  
d/b/a Direct Link Communications, 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 check:

Enclosures

cc: Walker D'Haeseleer, Director Communications Division  
Art Garcia, DLC

340244.1

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 11752-00. The document is in locked storage pending advice on handling. To access the material, your name must be on the CASR. If undocketed, your division director must obtain written EXD/Tech permission before you can access it.

DOCUMENT NUMBER-DATE

11751 SEP 19 8

FPSC-RECORDS/REPORTING

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

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Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0870

DEPOSIT DATE  
D364 SEP 20 2000  
001431-TI

Re: Application of DLC Enterprises, Inc. d/b/a Direct Link Communications, Inc. for Authority to Provide Interexchange Telecommunications Service in Florida

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1013



DLC ENTERPRISES, INC.  
5071 BROADWAY, 2ND FLR.  
NEW YORK, NY 10034

DATE 6/16/00

1-898  
210

Florida Public Service Commission

\$ 250.00

PAY TO THE ORDER OF

Two

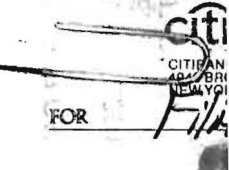
119.07(1)(z), Florida Statutes: Bank account numbers or debit, charge, or credit card numbers given to an agency for the purpose of payment of any fee or debt owing are confidential and exempt from subsection (1) and s.24(a), Art. 1 of the State Constitution . . .

DOLLARS

Code

11751-00  
9/19/00

0 DELUXE RB



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Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0870

RECEIVED DATE  
D3 64 SEP 20 2000

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Respectfully submitted,



Rachel D. Flam  
Brett P. Ferenchak

Counsel for DLC Enterprises, Inc.  
d/b/a Direct Link Communications, Inc.

Enclosures

cc: Walker D'Haeseleer, Director Communications Division  
Art Garcia, DLC

**DIVISION OF TELECOMMUNICATIONS**  
**BUREAU OF CERTIFICATION AND SERVICE EVALUATION**

Application Form for Authority to Provide  
Interexchange Telecommunications Service  
Between Points Within the State of Florida

001431-TI

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Instructions

- ◆ This form is used as an application for an original certificate and for approval of 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**

Note: **No filing fee is required** for an assignment or transfer of an existing certificate to another certificated company.

- ◆ 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

11751 SEP 198

FPSC-RECORDS/REPORTING

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1. This is an application for  $\sqrt{\quad}$  (check one):

(  $\sqrt{\quad}$  ) **Original certificate** (new company).

( ) **Approval of transfer of existing certificate:**

Example, a certificated company purchases an existing certificated company and desires to retain the authority of both certificates.

( ) **Approval of assignment of existing certificate:**

Example, a non-certificated company purchases an existing company and desires to retain the certificate of authority rather than apply for a new certificate.

( ) **Approval 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:

DLC Enterprises, Inc. d/b/a Direct Link Communications, Inc. ("DLC" or "Applicant")

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

DLC Enterprises, Inc. d/b/a Direct Link Communications, Inc.

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

5071 Broadway, Second Floor

New York, New York 10034

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

DLC's Florida office is located at 444 Brickle Avenue, 4<sup>th</sup> Floor, Miami, Florida,

33131

6. Select type of business your company will be conducting  (check all that apply):

**Facilities-based carrier** - company owns and operates or plans to own and operate telecommunications switches and transmission facilities in Florida.

**Operator Service Provider** - company provides or plans to provide alternative operator services for IXCs; or toll operator services to call aggregator locations; or clearinghouse services to bill such calls.

**Reseller** - company has or plans to have one or more switches but primarily leases the transmission facilities of other carriers. Bills its own customer base for services used.

**Switchless Rebiller** - company has no switch or transmission facilities but may have a billing computer. Aggregates traffic to obtain bulk discounts from underlying carrier. Rebills end users at a rate above its discount but generally below the rate end users would pay for unaggregated traffic.

**Multi-Location Discount Aggregator** - company contracts with unaffiliated entities to obtain bulk/volume discounts under multi-location discount plans from certain underlying carriers, then offers resold service by enrolling unaffiliated customers.

**Prepaid Debit Card Provider** - any person or entity that purchases 800 access from an underlying carrier or unaffiliated entity for use with prepaid debit card service and/or encodes the cards with personal identification numbers.

7. Structure of organization;

Individual

Corporation

Foreign Corporation

Foreign Partnership

General Partnership

Limited Partnership

Other \_\_\_\_\_

8. If individual, provide:

Name: Not Applicable

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

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

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

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

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

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

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

(a) **The Florida Secretary of State Corporate Registration number:**

Not Applicable

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

(a) **The Florida Secretary of State Corporate Registration number:**

F00000000306

11. 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:**

F00000000306

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

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

Not Applicable

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

Name: Not Applicable

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

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

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

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

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

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

14. **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

15. Provide **F.E.I. Number** (if applicable): 13402 4999

16. Provide the following (if applicable):

(a) Will the name of your company appear on the bill for your services?

(  ) Yes (  ) No

(b) If not, who will bill for your services?

Name: Not Applicable

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

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

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

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



(c) How is this information provided?

Not Applicable

17. Who will receive the bills for your service?

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Residential Customers | <input checked="" type="checkbox"/> Business Customers    |
| <input type="checkbox"/> PATs providers                   | <input type="checkbox"/> PATs station end-users           |
| <input type="checkbox"/> Hotels & motels                  | <input type="checkbox"/> Hotel & motel guests             |
| <input type="checkbox"/> Universities                     | <input type="checkbox"/> Universities dormitory residents |
| <input type="checkbox"/> Other: (specify)                 | _____   |

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

(a) The application:

**Name:** Rachel D. Flam, Brett Ferenchak, Swidler Berlin Shereff Friedman, LLP

**Title:** Counsel

**Address:** 3000 K St., N.W., Suite 300

**City/State/Zip:** Washington, D.C. 20007-5116

**Telephone No.:** (202) 424-7500 **Fax No.:** (202) 424-7645

**Internet E-Mail Address:** rdflam@swidlaw.com, bpferenchak@swidlaw.com

**Internet Website Address:** http://www.swidlaw.com

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

**Name:** Art Garcia

**Title:** President

**Address:** 5071 Broadway, Second Floor

**City/State/Zip:** New York, New York 10034

**Telephone No.:** (212) 569-4279 **Fax No.:** (212) 569-4325

**Internet E-Mail Address:** telcodlc@aol.com

**Internet Website Address:** Not Applicable

(c) Complaints/Inquiries from customers:

**Name:** Art Garcia

**Title:** President

**Address:** 5071 Broadway, Second Floor

**City/State/Zip:** New York, New York 10034

**Telephone No.:** (212) 569-4279 **Fax No.:** (212) 569-4325

**Internet E-Mail Address:** telcodlc@aol.com

**Internet Website Address:** Not Applicable

19. List the states in which the applicant:

(a) has operated as an interexchange telecommunications company.

None

(b) has applications pending to be certificated as an interexchange telecommunications company.

DLC has pending applications for intrastate interexhcnage and/or local exchange telecommunications authority in California and New York. DLC is also filing applications for intrastate interexchange and/or local exchange telecommunications authority in New Jersey.

(c) is certificated to operate as an interexchange telecommunications company.

DLC is not certificated to operate as an interexchange telecommunications company in any state.

- (d) has been denied authority to operate as an interexchange telecommunications company and the circumstances involved.

DLC has not been denied authority to offer service in any state.

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

No regulations agency has imposed any penalties on DLC for any violations of telecommunications statutes.

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

DLC has not been involved in civil court proceedings with an IXC, LEC or other telecommunications activity.

20. 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. If so, please explain.

None of DLC's officers, directors, or ten largest stockholders, stockholder of DLC has previously been adjudged mentally incompetent or found guilty of any crime, nor are there any pending proceedings that may result in such actions. Gordon Cook, one of DLC's officers, directors, and ten largest stockholders stockholder filed for personal bankruptcy in 1990.

- (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 officer, director, or stockholder of DLC has previously been an officer, director, partner or stockholder in any other Florida certificated telephone company.

21. The applicant will provide the following interexchange carrier services, (check all that apply):

- a.   X             **MTS with distance sensitive per minute rates**

<u>  X  </u>	Method of access is FGA
<u>  X  </u>	Method of access is FGB
<u>  X  </u>	Method of access is FGD
<u>  X  </u>	Method of access is 800

- b.   X             **MTS with route specific rates per minute**

<u>  X  </u>	Method of access is FGA
<u>  X  </u>	Method of access is FGB
<u>  X  </u>	Method of access is FGD
<u>  X  </u>	Method of access is 800

- c.   X             **MTS with statewide flat rates per minute (i.e. not distance sensitive)**

<u>  X  </u>	Method of access is FGA
<u>  X  </u>	Method of access is FGB
<u>  X  </u>	Method of access is FGD
<u>  X  </u>	Method of access is 800

- d.   X             **MTS for pay telephone service providers**

- e.   X             **Block-of-time calling plan (Reach Out Florida, Ring America, etc.).**

- f.   X             **800 service (toll free)**

g.   X             WATS type service (bulk or volume discount)  
      X             Method of access is via dedicated facilities  
      X             Method of access is via switched facilities

h.   X             Private line services (Channel Services)  
                  (For ex. 1.544 mbs., DS-3, etc.)

i.   X             Travel service  
      X             Method of access is 950  
      X             Method of access is 800

j.                  900 service

k.                  Operator services  
                 Available to presubscribed customers  
                 Available to non presubscribed customers (for  
                  example, to patrons of hotels, students in universities,  
                  patients in hospitals).  
                 Available to inmates

l. **Services included are:**

                 Station assistance  
                 Person-to-person assistance  
                 Directory assistance  
                 Operator verify and interrupt  
                 Conference calling

22. Submit the proposed tariff under which the company plans to begin operation. Use the format required by Commission Rule 25-24.485 (example enclosed).

The proposed tariff will follow.\_\_\_\_\_

23. 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. **A written explanation** that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
2. **A written explanation** that the applicant has sufficient financial capability to maintain the requested service.
3. **A written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.

**PLEASE SEE EXHIBIT A**

- B. Managerial capability;** give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

**PLEASE SEE EXHIBIT B**

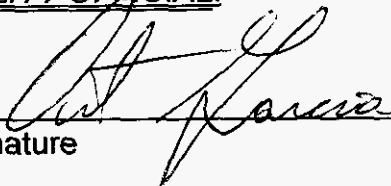
- C. Technical capability;** give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

**PLEASE SEE EXHIBIT B**

**\*\* 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 its 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>6/16/02</u> _____ Date
_____ President	<u>(212) 569-4279</u> _____ Telephone No.
_____ Title	
Address: <u>5071 Broadway, Second Floor</u> _____ <u>New York, New York 10034</u> _____ _____	<u>(212) 569-4325</u> _____ Fax No.

**ATTACHMENTS:**

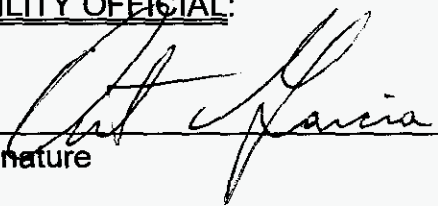
- A - CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT
- B - CUSTOMER DEPOSITS AND ADVANCE PAYMENTS
- C - CURRENT FLORIDA INTRASTATE NETWORK
- D - AFFIDAVIT - FLORIDA TELEPHONE EXCHANGES AND EAS ROUTES
- GLOSSARY

**CUSTOMER DEPOSITS AND ADVANCE PAYMENTS**

A statement of how the Commission can be assured of the security of the customer's deposits and advance payments may be provided in one of the following ways (applicant, please  check one):

- ( ) The applicant will **not** collect deposits nor will it collect payments for service more than one month in advance.
- (  ) The applicant intends to collect deposits and/or advance payments for more than one month's service and will file and maintain a surety bond with the Commission in an amount equal to the current balance of deposits and advance payments in excess of one month. (The bond must accompany the application.)

UTILITY OFFICIAL:

Signature		Date	6/16/00
President Title	_____	(212) 569-4279 Telephone No.	_____
Address:	5071 Broadway, Second Floor	(212) 569-4325 Fax No.	_____
	New York, New York 10034		_____
	_____		_____
	_____		_____
	_____		_____



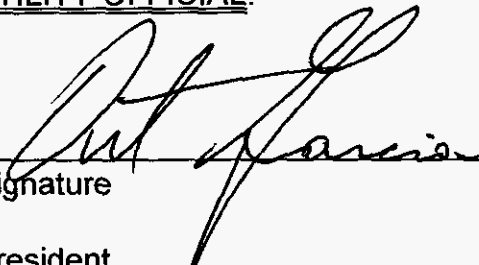


**AFFIDAVIT**

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:

 Signature	<u>6/16/00</u> Date
President Title	<u>(212) 569-4279</u> Telephone No.
Address: <u>5071 Broadway, Second Floor</u> <u>New York, New York 10034</u>	<u>(212) 569-4325</u> Fax No.

## FLORIDA TELEPHONE EXCHANGES AND EAS ROUTES

**ORIGINATING SERVICE:** Provide the list of exchanges where you are proposing to provide originating service within thirty (30) days after the effective date of the certificate.

Describe the service area in which you hold yourself out to provide service by telephone company exchange. If all services listed in your tariff are not offered at all locations, so indicate.

In an effort to assist you, attached is a list of major exchanges in Florida showing the small exchanges with which each has extended area service (EAS).

### **\*\*FLORIDA EAS FOR MAJOR EXCHANGES\*\***

Extended Service Area	in These Exchanges
PENSACOLA:	Cantonment, Gulf Breeze, Milton, Holley-Navarre. Pace
PANAMA CITY:	Lynn Haven, Panama City Beach, Youngstown-Fountain, Tyndall AFB.
TALLAHASSEE:	Crawfordville, Havana, Monticello, Panacea, Sopchoppy, St. Marks.
JACKSONVILLE:	Baldwin, Ft. George, Jacksonville Beach, Callahan, Maxville, Middleburg, Orange Park, Ponte Vedra, Julington.
GAINESVILLE:	Alachua, Archer, Brooker, Hawthorne, High Springs, Melrose, Micanopy, Newberry, Waldo.
OCALA:	Belleview, Citra, Dunnellon, Forest, Lady Lake, McIntosh, Oklawaha, Orange Springs, Salt Springs, Silver Springs Shores.

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Extended Service Area in These Exchanges

DAYTONA BEACH: New Smyrna Beach

TAMPA:	Central	None
	East	Plant City
	North	Zephyrhills
	South	Palmetto
	West	Clearwater

CLEARWATER: St. Petersburg, Tampa-West,  
Tarpon, Springs.

ST. PETERSBURG: Clearwater.

LAKELAND: Bartow, Mulberry, Plant City  
Polk City, Winter Haven.

ORLANDO: Apopka, East Orange, Lake  
Buena Vista, Orlando, Oviedo,  
Sanford, Windermere, Winter  
Garden, Oviedo-Winter Springs,  
Reedy Creek, Geneva,  
Monteverde.

TITUSVILLE: Cocoa and Cocoa Beach.

COCOA: Cocoa Beach, Eau Gallie,  
Melbourne, Titusville.

MELBOURNE: Cocoa, Cocoa Beach, Eau  
Gallie, Sebastian

SARASOTA: Bradenton, Myakka, Venice

Extended Service Area in These Exchanges

FT. MYERS: Cape Coral, Ft. Myers Beach,  
North Cape Coral, North Ft.  
Myers, Pine Island, Lehigh  
Acres, Sanibel-Captiva  
Islands.

NAPLES: Marco Island and North Naples.

WEST PALM BEACH: Boynton Beach and Jupiter.

POMPANO BEACH: Boca Raton, Coral Springs, Deerfield Beach,  
Ft. Lauderdale.

FT. LAUDERDALE: Coral Springs, Deerfield Beach, Hollywood, Pompano Beach.

HOLLYWOOD: Ft. Lauderdale and North Dade.

NORTH DADE: Hollywood, Miami, Perrine.

MIAMI: Homestead, North Dade,  
Perrine

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## **\*\*GLOSSARY\*\***

**ACCESS CODE:** A uniform four- or seven-digit code assigned to an individual IXC. The five-digit code has the form 1 OXXX and the seven-digit code has the form 950-XXXX.

**BYPASS:** Transmission facilities that go direct from the local exchange end user to an IXC point of presence, thus bypassing the local exchange company.

**CARRIERS CARRIER:** An IXC that provides telecommunications service, mainly bulk transmission service, to other IXCs only.

**CENTRAL OFFICE:** A local operating unit by means of which connections are established between subscribers' lines and trunk or toll lines to other central offices within the same exchange or other exchanges. Each three-digit central office code (NXX) used shall be considered a separate central office unit.

**CENTRAL OFFICE CODE:** The first three digits (NXX) of the seven-digit telephone number assigned to a customer's telephone exchange service.

**COMMISSION:** The Florida Public Service Commission.

**COMPANY, TELEPHONE COMPANY, UTILITY:** These terms are used interchangeably herein and refer to any person, firm, partnership or corporation engaged in the business of furnishing communication service to the public under the jurisdiction of the Commission.

**DEDICATED FACILITY:** A transmission circuit which is permanently for the exclusive use of a customer or a pair of customers.

**END USER:** Any individual, partnership, association, corporation, governmental agency or any other entity which (A) obtains a common line, uses a pay telephone or obtains interstate service arrangements in the operating territory of the company or (B) subscribes to interstate services provided by an IXC or uses the services of the IXC when the IXC provides interstate service for its own use.

**EQUAL ACCESS EXCHANGE AREAS (EAEA):** A geographic area, configured based on 1987 planned toll center/access tandem areas, in which local exchange companies are responsible for providing equal access to both carriers and customers of carriers in the most economically efficient manner.

**EXCHANGE:** The entire telephone plant and facilities used in providing telephone service to subscribers located in an exchange area. An exchange may include more than one central office unit.

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**EXCHANGE (SERVICE) AREA:** The territory, including the base rate suburban and rural areas served by an exchange, within which local telephone service is furnished at the exchange rates applicable within that area.

**EXTENDED AREA SERVICE:** A type of telephone service furnished under tariff provision whereby subscribers of a given exchange or area may complete calls to, and receive messages from, one or more other contiguous exchanges without toll charges, or complete calls to one or more other exchanges without toll message charges.

**FACILITIES BASED:** An IXC that has its own transmission and/or switching equipment or other elements of equipment and does not rely on others to provide this service.

**FOREIGN EXCHANGE SERVICES:** A classification of exchange service furnished under tariff provisions whereby a subscriber may be provided telephone service from an exchange other than the one from which he would normally be served.

**FEATURE GROUPS:** General categories of unbundled tariffs to stipulate related services.

**Feature Group A:** Line side connections presently serving specialized Common carriers.

**Feature Group B:** Trunk side connections without equal digit or code dialing.

**Feature Group C:** Trunk side connections presently serving AT&T-C.

**Feature Group D:** Equal trunk access with prescription.

**INTEREXCHANGE COMPANY (IXC):** Any telephone company, as defined in Section 364.02(4), F.S. (excluding Payphone Providers), which provides telecommunications service between exchange areas as those areas are described in the approved tariffs of individual local exchange companies.

**INTER-OFFICE CALL:** A telephone call originating in one central office unit or entity but terminating in another central office unit or entity, both of which are in the same designated exchange area.

**INTRA-OFFICE CALL:** A telephone call originating and terminating within the same central office unit or entity.

**INTRASTATE COMMUNICATIONS:** Any communications in Florida subject to oversight by the Florida Public Service Commission as provided by the laws of the State.

**INTRA-STATE TOLL MESSAGE:** Those toll messages which originate and terminate within the same state.

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**LOCAL ACCESS AND TRANSPORT AREA (LATA):** The geographic area established for the administration of communications service. It encompasses designated exchanges, which are grouped to serve common social, economic and other purposes

**LOCAL EXCHANGE COMPANY (LEC):** Any telephone company, as defined in Section 364.02(4), F.S., which, in addition to any other telephonic communication service, provides telecommunications service within exchange areas as those areas are described in the approved tariffs of the telephone company.

**OPTIONAL CALLING PLAN:** An optional service furnished under tariff provisions which recognizes a need of some subscribers for extended area calling without imposing the cost on the entire body of subscribers.

**900 SERVICE:** A service similar to 800 service, except this service is charged back to the customer based on first minute plus additional minute usage.

**PIN NUMBER:** A group of numbers used by a company to identify its customers.

**PAY TELEPHONE SERVICE COMPANY:** Any telephone company, other than a LEC, which provides pay telephone service as defined in Section 364.335(4), F.S.

**POINT OF PRESENCE (POP):** Bell-coined term which designates the actual (physical) location of an IXC's facility. Replaces some applications of the term "demarcation point."

**PRIMARY SERVICE:** Individual line service or party line service.

**RESELLER:** An IXC that does not have certain facilities but purchases telecommunications service from an IXC and then resells that service to others.

**STATION:** A telephone instrument consisting of a transmitter, receiver, and associated apparatus so connected as to permit sending and/or receiving telephone messages.

**SUBSCRIBER, CUSTOMER:** Terms used interchangeably to mean any person, firm, partnership, corporation, municipality, cooperative organization, or governmental agency supplied with communication service by a telephone company.

**SUBSCRIBER LINE:** The circuit or channel used to connect the subscriber station with the central office equipment.



**SWITCHING CENTER:** Location at which telephone traffic, either local or toll, is switched or connected from one circuit or line to another. A local switching center may be comprised of several central office units.

**TRUNK:** A communication channel between central office units or entities, or private branch exchanges.

## **Exhibit A**

### **Financial Qualifications**

DLC has sufficient financial capability to provide and maintain its interexchange and local exchange telecommunications services throughout the State of Florida and sufficient financial capability to meet any lease or ownership obligations it may incur. DLC will rely upon its existing personnel and technological and financial resources to provide intrastate services. In support of its application, DLC submits its unaudited financial statements — consisting of an accountant's report, balance sheet, statement of income, change in financial position, cash flows, notes to financial statements and notarized statement from the applicant — attached hereto. The statements cover the period April 1, 2000 through June 30, 2000 and the period ending December 31, 1999.

Please note that DLC is a privately held company whose financial statements are not generally available to the public. Therefore, DLC has submitted its financial statements in a separately sealed envelope and respectfully requests that, pursuant to Section 25-22.006 of the Commission Rules of Practice and Procedures and Section 364.183 of the Florida Statutes, that these documents be given confidential treatment and not be made part of the public record or otherwise be released to the public.

DLC Enterprises, Inc.  
5071 Broadway, Second Floor  
New York, New York 10034


**Re: Unaudited Financial Statements**

To whom it may concern:


DLC Enterprises, Inc. ("DLC") has access to the financing and capital necessary to provide the requested service in the geographic area proposed to be served, to maintain the requested service, and to meet its lease or ownership obligations. DLC does not have audited financial statements. DLC, however, is providing its current unaudited financial statements to demonstrate its financial ability.

By my signature below, I attest to the accuracy of DLC's unaudited financial statements filed with DLC's Application for Authority to Provide Interexchange Telecommunications Service within the State of Florida. I declare that to the best of my knowledge and belief the information is true and correct.

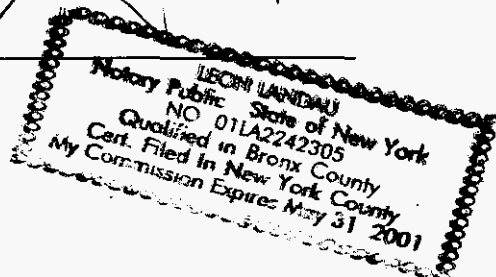
Executed on this 22<sup>nd</sup> day of August, 2000

By:   
Gordon L. Cook, III  
Chief Executive Officer/Chief Financial Officer  
DLC Enterprises, Inc.

Subscribed to and sworn before me this 23 day of August, 2000.

Notary Public: 

My Commission Expires: \_\_\_\_\_



**Exhibit B**

**Managerial and Technical Qualifications**

**Gordon L. Cook III**  
**Chief Executive Officer**

Mr. Cook has 26 years experience in management and administration in high-risk ventures in the Oil Exploration and Production, Nuclear, and Heavy Construction industries. His experience has taught him an aggressive "hands on" management style with a keen attention to the details of a business and a personal commitment to follow through each and every phase of a project to its successful completion. His success has placed him in a position provided the initial financing and, along with the other principals, to found DLC Enterprises, Inc. d/b/a Direct Link Communications. At DLC, he will be full-time, active Chief Executive Officer and leader of the organization.

Mr. Cook is skilled in project management and administration, cost estimating/analysis, project planning/development/control, bid preparation, company reports, personnel and training. Senior management positions have included Division Manager-Steel, Project Manager, Superintendent, and Director of Training. The companies Mr. Cook has worked for have been leaders and innovators in their respective fields and DLC will strive to meet the same high standards of excellence. These companies included Sub-Sea International, General Electric, Oceaneering International, ABBNetco Grey/RIS, Boswell Engineering, and Future Tech Consultants. Oilfield related projects included the installation and repair of offshore oil production platforms and pipelines including 5 World or US record setting projects.

These and other projects were for companies such as Shell- Auger Tension Leg Platform (WR), Mobil- Green Canyon Platform Repair (WR), Texaco- Harvest Platform Repair (WR), Exxon-Heritage, Chevron-Ninian Northern, Shell- Pipeline Hot Tap (WR), Union Oil- Pipeline Hot Tap (USR), and British Petroleum- Forties Field Alpha Platform. Work has taken him to South America, the North Sea, the Texas/Louisiana Gulf Coast, California, the NY/NJ Metropolitan Harbor Area, and a wide variety of inland projects.

Mr. Cook has also worked on civil projects for the USCG, US DOT, the ABS, Houston and New York, and New York State. In the Nuclear field he has worked at such facilities as LaSalle and Byron Generating Stations of Commonwealth Edison - in Illinois, the Limerick Generating Station for PECO, and the Millstone Station in Connecticut.

Of equal importance with the administrative skills he has developed are the abilities Mr. Cook has developed in working with people. Mr. Cook's career has required the ability to work in close cooperation with diverse groups of people in extraordinarily high-pressure situations to bring projects to successful fruition. As a result, he knows that a successful company is the result of the combined efforts of many people. Mr. Cook is dedicated to creating a corporate environment that maximizes the potential of the people charged with carrying out the corporate mission.

**Art Garcia**  
**President**

Mr. Garcia brings a broad range of business experience to DLC. He has experience in several industries: Securities, Insurance, Computer, Consulting, and Telecommunications. Mr Garcia has five years of Telecommunications experience in sales, management, and consulting with a diverse Telecommunications background. He started his carrier in the industry with *Telco Communications Group* as an Account Representative. After being part of the intensive training program in Long Distance, he took on the position of Major Account Representative and surpassed his quota by 200 percent and 300 percent for the first two quarters at Telco. After a year of selling commercial long distance services to businesses, he left his position at Telco for a carrier opportunity with Frontier Communications, Inc.

At Frontier, Mr. Garcia started his career as a District Sales Manager. He was responsible for creating a Commercial Sales Department that could be competitive with the other Long Distance companies. After one year, Mr. Garcia had developed a Sales Department with 22 Account Executives, 6 Major Account Executives, and 4 Senior Account Managers. He hired, trained and managed all of his personnel. From going out on appointments with them, to following up the entire order process. He became Frontier's top District Sales Manager by reaching the Presidents Club in his first year. In addition, he became Frontier's biggest regional producer by turning up more ANIs than anyone before him.

After his success in the Long Distance industry, Mr. Garcia accepted an opportunity to work with *ACC Telecom*, a Local and Long Distance Company as a Major Account Executive. He was responsible for selling both Local and Long Distance Commercial Accounts. At ACC, he gained valuable training and experience in the Local area of Telecommunications. Here, he excelled in selling to the Local Market the different services that ACC had to offer. At ACC he was always at least 200 percent of quota.

After reaching success in the Local side of Telecommunications, Mr. Garcia decided to leave ACC Telecom to go back to Long Distance. He accepted the opportunity to work for *American International Telephone, Inc.*, an Emerging International Carrier. He became part of company management as the new Director of International Markets at AIT. After a short introduction to the International Markets of Long Distance communications, he was promoted to Director of Carrier Sales. His responsibilities were to establish relationships with the best Tier One Carriers, as well as Secondary Tier Carriers, deal with international private lines, and to Buy/Sell Carrier rates. At AIT he hired, trained, and managed 17 full-time employees.

Today, Mr. Garcia enjoys the privilege of being the President of DLC. At DLC he contributes to many of the corporate responsibilities, in addition to handling many of the day to day negotiations and issues that arise from the companies that AIT has acquired. He is one of the integral pieces that make the DLC machine go forward, coupled with a seasoned management team with more than 60 years of combined experience.

Mr. Garcia graduated from Syracuse University. He has a Bachelor of Science in Political Science, and a Bachelor of Science in Marketing. Mr. Garcia attended the University of California at Los Angeles where he pursued a Masters in Business Administration.

**Jeff Cook**  
**Executive Vice-President**

Mr. Cook has experience in sales, management, administration, and training. He began his carrier in Telecommunications with Business Consultants & Resource Agents, Inc. in New York as a Sales Representative. While with BC & RA Mr. Cook underwent intensive training in all aspects of telecommunications. This training included many different agent programs covering Local, Debit, Commercial, and Carrier Sales. In addition to Sales, Mr. Cook's responsibilities included the hiring, training, and management of 9 Sales Representatives to aggressively serve the commercial Telecommunications Market in the Greater New York area. While at BC & RA Mr. Cook excelled at representing the communications interests of many commercial accounts throughout the New York City Area. Mr. Cook has developed many lasting relationships with clients that he still services today.

Mr. Cook then accepted an opportunity to work for AIT, American International Telephone, Inc., an emerging international carrier. Mr. Cook started with AIT in Carrier Sales and Agent Marketing where he sold to small to mid sized carriers, large calling center chains, debit card producers, and agents. After 6 months he assumed the responsibility of District Sales Manager of NYC which included hiring and training 15 sales representatives with experience ranging from entry level Account Executive's with no telecommunications experience to Senior Carrier Account Managers with 15-20 years of telecommunications Experience.

Mr. Cook organized and participated in training sessions covering Data Communications, Internet Service Providers, ATM Frame Relay, and Ascend products. He worked with his sales representatives in the field teaching them how to prospect, qualify, satisfy a need, and close the accounts in the real world. Mr. Cook also helped representatives negotiate Buy and Sell rates with the major carriers. In addition he helped design two extensive training manuals. The first manual was an entry-level introduction to the Telecommunications Industry and the second manual was an Advanced Telecommunications manual.

Mr. Cook was responsible, on a regular basis, for the processing of Contracts and orders from the credit check through the provisioning. He also worked with senior management during re-organization to streamline operations and achieve more efficient, effective internal procedures.

**Robert Keller**  
**Vice-President - MIS**

Mr. Keller brings over two decades of information systems experience to DLC. He has a track record of developing solutions where resources are optimized to produce maximum returns. Mr. Keller is versed in all phases of the project life cycle. His systems experience spans from legacy mainframe systems to the networked personal workstations.

As a consultant for more than 15 years, he has been involved in systems for communications, financial, publishing, shipping, and technology companies. He has worked on projects for Fortune 500 companies, such as General Electric, IBM, MCI, and Pepsi, developing billing, order entry, customer service, market analysis, and financial systems. Mr. Keller has also worked for small firms in his career including several startup concerns. His work has resulted in solutions that fit the current business needs with the flexibility for expansion to meet tomorrow's requirements.

Efficiency, reliability and an intuitive interface are common characteristics of Mr. Keller's prior projects. A six-hour database process reduced to thirty-five minutes reflects efficiency in his work. Reliability is demonstrated by another application that was re-written by Mr. Keller generating one trouble ticket for the subsequent year after implementation. The ability to create an intuitive interface is shown when he developed the training materials for a million-dollar software package to explain its tools and methodology and conducted training sessions for the new licensees.

Recently in the capacity of a Year2000 specialist, Mr. Keller has addressed system issues spanning multiple business functions and areas with a cohesive solution for their millennium concerns. His diverse applications and systems knowledge provided valuable insight to the "how" and "why" that uncovered problems overlooked by others.

As part of the DLC team, he directs the MIS Division towards an efficient, cohesive information system that will facilitate the company's goals.