

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

**DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT
CERTIFICATION**

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

050238-7X

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 Page 12).
- ◆ 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 the Commission Clerk and Administrative Services
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 Competitive Markets and Enforcement
Certification
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600**

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:

USA TELEPHONE INC D/B/A CHOICE ONE TELECOM

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

CHOICE ONE TELECOM

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

1510 NE 162 Street
MIAMI FLORIDA 33162

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

BID NE 162 St
Miami, FL 33162

6. Structure of organization:

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

7. If individual, provide:

Name: _____
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:

F98000013096

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

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

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:

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

(a) The Florida Secretary of State registration number:

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

Name: _____

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: _____

14. Provide **F.E.I. Number**(if applicable): 65-0826014

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: JEAN A. Cherubin
Title: J.P.
Address: 1510 NE 162 Street
City/State/Zip: MIAMI FLORIDA 33162
Telephone No.: 305-944-9383 Fax No.: 305-947-8050
Internet E-Mail Address: JEAN.CHERUBIN@ChoiceOneTelecom.Com
Internet Website Address: WWW.ChoiceOneTelecom.Com
WWW.USATELEPHONE.NET

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

Name: Jean A Cherubin
Title: VP
Address: 1510 NE 162 Street
City/State/Zip: Miami FL 33162
Telephone No.: 305-944-8383 Fax No.: 305-947-8050
Internet E-Mail Address: JeanCherubin@choiceoneTelecom.com
Internet Website Address: www.choiceoneTelecom.com

(c) Complaints/Inquiries from customers:

Name: Jean A. Cherubin
Title: VP
Address: 1510 NE 162 Street
City/State/Zip: Miami FL 33162
Telephone No.: 305 944-8383 Fax No.: 305 947 8050
Internet E-Mail Address: JeanCherubin@ChoiceOneTelecom.com
Internet Website Address: www.ChoiceOneTelecom.com

✓ 17. List the states in which the applicant:

(a) has operated as an alternative local exchange company

NEW YORK, NEW JERSEY, Massachusetts
FLORIDA (under previous certificate # TX 203)

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

NONE

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

NEW YORK, NEW JERSEY and MASSACHUSETTS

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

N/A

✓

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

R A F

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

N/A

18. Submit the following:

✓

A. Managerial capability: give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

B. 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.

C. 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.

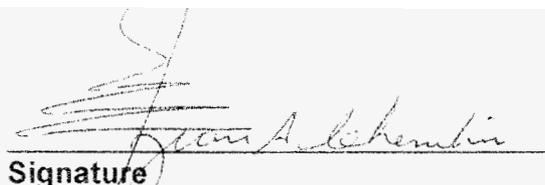
THIS PAGE MUST BE COMPLETED AND SIGNED

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. **APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application

UTILITY OFFICIAL:

Leon A. Cherubin
Print Name


Signature

V.P.
Title

4/4/05
Date

305-944-8383 - 305-785-0720
Telephone No.

305-947-8050
Fax No.

Address:

USA Telephone Inc
1510 NE 162 St
MIAMI FL 33162

THIS PAGE MUST BE COMPLETED AND SIGNED

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:

Jean A Cherubin
Print Name

Jean A Cherubin
Signature

J.P.
Title

4/4/05
Date

305-944-8883 - 305-785-0720
Telephone No.

305-947-8050
Fax No.

Address: USA Telephone INC
1510 NE 162 Street
Miami FL 33162

