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090152

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Email: lsteinhart@telecomcounsel.com

March 24, 2009

**VIA OVERNIGHT DELIVERY**

Florida Public Service Commission  
Ann Cole, Commission Clerk  
2540 Shumard Oak Blvd.  
Gunter Bldg.  
Tallahassee, Florida 32399-0850  
(850) 413-6770

Re: Broadvox-CLEC, LLC

To Whom It May Concern:

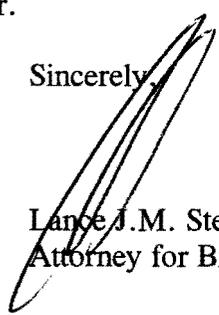
Enclosed please find one original and six (6) copies of Broadvox-CLEC, LLC's (Broadvox-CLEC) Application for Authority to Provide Local Exchange Telecommunications Service Within the State of Florida.

I also have enclosed a check in the amount of \$400.00 payable to the Florida Public Service Commission to cover the cost of filing these documents.

Please return a stamped copy of the extra copy of this letter in the enclosed preaddressed prepaid envelope.

If you have any questions regarding this matter, please do not hesitate to call me. Thank you for your attention to this matter.

Sincerely,



Lance J.M. Steinhart, Esq.  
Attorney for Broadvox-CLEC, LLC

- COM \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL   H
- OPC   1
- RCP   1
- SSC \_\_\_\_\_
- SGA \_\_\_\_\_
- ADM   cc:   Alecia Monroe
- CLK   [Signature]

Enclosures

DOCUMENT NUMBER - DATE  
02738 MAR 27 09  
FPSC-COMMISSION CLERK

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RECEIVED-FPSC

FLORIDA PUBLIC SERVICE COMMISSION

DEPOSIT DATE

09 MAR 27 AM 9:52

922 MAR 30 2009

DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT

APPLICATION FORM  
for

COMMISSION  
CLERK

CK# 9025  
\$ 400.00  
1-26-09  
RT

AUTHORITY TO PROVIDE COMPETITIVE LOCAL EXCHANGE  
TELECOMMUNICATIONS COMPANY SERVICE  
WITHIN THE STATE OF FLORIDA

Instructions

- A. This form is used as an application for an original certificate and for approval of sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 8).
- B. Print or type all responses to each item requested in the application. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of \$400.00 to:

**Florida Public Service Commission  
 Division of the Commission Clerk and Administrative Services  
 2540 Shumard Oak Blvd.  
 Tallahassee, Florida 32399-0850  
 (850) 413-6770**

- E. A filing fee of \$400.00 is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.815, F.A.C.).
- F. If you have questions about completing the form, contact:

**Florida Public Service Commission  
 Division of Competitive Markets and Enforcement  
 2540 Shumard Oak Blvd.  
 Tallahassee, Florida 32399-0850  
 (850) 413-6600**

DOCUMENT NUMBER-DATE  
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 FPSC-COMMISSION CLERK

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 rather than apply for a new certificate.

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

2. Name of company: Broadvox-CLEC, LLC

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

4. Official mailing address:

Street/Post Office Box: 1228 Euclid Avenue, Suite 390  
City: Cleveland  
State: Ohio  
Zip: 44115

5. Florida address:

Street/Post Office Box:  
City:  
State:  
Zip:

6. Structure of organization:

- |                                     |                                  |                          |                     |
|-------------------------------------|----------------------------------|--------------------------|---------------------|
| <input type="checkbox"/>            | Individual                       | <input type="checkbox"/> | Corporation         |
| <input type="checkbox"/>            | Foreign Corporation              | <input type="checkbox"/> | Foreign Partnership |
| <input type="checkbox"/>            | General Partnership              | <input type="checkbox"/> | Limited Partnership |
| <input checked="" type="checkbox"/> | Other, Limited Liability Company |                          |                     |

7. **If individual**, provide:

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

8. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:

9. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:

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

11. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is:

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

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. The Florida registration number is:

14. Provide **F.E.I. Number**(if applicable): 38-3792612

15. Who will serve as liaison to the Commission in regard to the following?

(a) The application:

Name: Lance J.M. Steinhart  
Title: Regulatory Counsel  
Street name & number: 1720 Windward Concourse, Suite 115  
Post office box:  
City: Alpharetta  
State: Georgia  
Zip: 30005  
Telephone No.: 770-232-9200  
Fax No.: 770-232-9208  
E-Mail Address: lsteinhart@telecomcounsel.com  
Website Address:

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

Name: Alecia Monroe  
Title: Paralegal/Manager of  
Regulatory Affairs of The Broadvox Holding Company, LLC, Member  
Street name & number: 1228 Euclid Avenue, Suite 390  
City: Cleveland  
State: Ohio  
Zip: 44115  
Telephone No.: (216) 373-4623  
Fax No.: (216) 373-4812  
E-Mail Address: amonroe@broadvox.net  
Website Address: NONE

(c) Complaints/Inquiries from customers:

Name: Eugene Blumin  
Title: COO of The Broadvox Holding Company, LLC, Member  
Street/Post Office Box: 1228 Euclid Avenue, Suite 390  
City: Cleveland  
State: Ohio  
Zip: 44115  
Telephone No.: (877) 884-6597  
Fax No.: (216) 373-4812  
E-Mail Address: eblumin@broadvox.net  
Website Address: NONE

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

(a) has operated as a Competitive Local Exchange Telecommunications Company.

None

(b) has applications pending to be certificated as a Competitive Local Exchange Telecommunications Company.

Applicant has applications pending throughout the United States.

(c) is certificated to operate as a Competitive Local Exchange Telecommunications Company.

Kentucky, New Jersey, Rhode Island, Vermont and Washington

(d) has been denied authority to operate as a Competitive Local Exchange Telecommunications Company and the circumstances involved.

None

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

None

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

None

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

(a) adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, provide explanation.

None

(b) granted or denied a competitive local exchange certificate in the State of Florida (this includes active and canceled competitive local exchange certificates). If yes, provide explanation and list the certificate holder and certificate number.

None

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

None

18. Submit the following:

(a) Managerial capability: resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

(b) Technical capability: 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: applicant's audited financial statements for the most recent three (3) years. If the applicant does not have audited financial statements, it shall so be stated. 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.

**THIS PAGE MUST BE COMPLETED AND SIGNED**

**REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

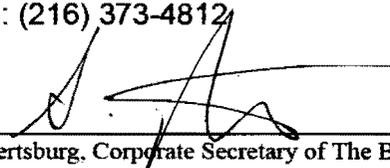
**RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of competitive local exchange telecommunications company (CLEC) service in Florida.

**APPLICANT ACKNOWLEDGEMENT:** 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 competitive local exchange telecommunications 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.**"

Company Owner or Officer

Print Name: Alex Gertsburg, Corporate Secretary  
of The Broadvox Holding Company, LLC, Member of Broadvox-CLEC, LLC  
Telephone No.: (216) 373-4623  
E-Mail Address: (216) 373-4812

Signature:  Date: 2/13/09  
Alex Gertsburg, Corporate Secretary of The Broadvox Holding Company, LLC, Member of Broadvox-CLEC, LLC

## **LIST OF ATTACHMENTS**

**FINANCIAL INFORMATION**

**MANAGEMENT INFORMATION**

**STATEMENT OF FINANCIAL CAPABILITY**

## **FINANCIAL INFORMATION**

## **MANAGEMENT INFORMATION**

## **Andre Temnorod**

### **Chairman & Chief Executive Officer**

Building on 12 years of executive management experience, Mr. Temnorod has excelled in business operations and the high tech industry. Mr. Temnorod is the strategy behind the Broadvox vision to be a leader in the telecommunications world, as well as its wholesale long-distance deployment and its initiative in the hosted Centrex and converged communications efforts.

Prior to founding Broadvox, Mr. Temnorod served as the Chief Executive Officer of Nexbell Communications, a leader in VoIP (purchased by COUNSEL Communications in 2001). Mr. Temnorod then served as Chief Technology Officer at Unicent Technologies, where he spearheaded the research and deployment testing of early VoIP initiatives.

Mr. Temnorod is among the most respected VoIP technology leaders in the market today. He has been featured in numerous professional forums in print, video and as a guest speaker on a variety of panels.

## **Eugene Blumin**

### **Chief Operating Officer**

Mr. Blumin has more than 15 years of experience in the technology field and has held a range of executive positions in senior management, operations and finance related roles.

Eugene S. Blumin is Chief Operating Officer and Co-Founder of Broadvox. Utilizing his vast experience in operations, sales and finance, Mr. Blumin is now focused on day to day operations with significant involvement in customer and vendor relationships. Prior to Broadvox, Mr. Blumin was co-founder of Nexbell Communications and served as Director of Carrier Relations. Nexbell Communications was sold to COUNSEL Communications in 2001. Prior to Nexbell Communications, Mr. Blumin served as President and COO of Unicent Technologies, a 100 million dollar privately held PC and communications company.

## **Alex Gertsburg**

### **Vice President, General Counsel**

Mr. Gertsburg handles and supervises all of the company's legal work, addressing issues relating to contracts, compliance, disputes, employment, intellectual property, marketing and many others. Prior to joining Broadvox, Mr. Gertsburg's primary legal focus was business litigation with the corporate firms of Calfee, Halter & Griswold LLP in Cleveland, and Roetzel & Andress LPA in Akron. In both firms, he worked with closely-held, publicly-traded and foreign clients in developing strategies to resolve complex and diverse legal disputes, both inside and outside the courtroom. He also dedicated a significant amount of his practice on First Amendment, antitrust, real estate and commercial disputes.

In 2003, Mr. Gertsburg was deployed with his Army Reserve unit to Iraq, where he served as a platoon leader and convoy commander during the first year of the war. By the time he was demobilized at the end of that year, he had served with the Army Reserve for ten years.

Mr. Gertsburg graduated magna cum laude from the Cleveland-Marshall College of Law, and was honored with membership in the Order of the Barristers as a result of his successful tenure in the law school's moot court program. In law school, he also served as an extern for the late Judge John Manos of the United States District Court for the Northern District of Ohio. He received his B.A. from Miami University in 1997, where he studied political science and sociology.

**STATEMENT OF FINANCIAL CAPABILITY**  
**Broadvox-CLEC, LLC**

Applicant has sufficient financial capability to provide the requested service in the State of Florida and has sufficient financial capability to maintain the requested service and to meet its lease or ownership obligations. In support of Applicant's stated financial capability, a copy of Broadvox, Inc. & Subsidiaries Consolidated Financial Statements for the years ended December 31, 2005, December 31, 2006 and December 31, 2007 is attached to its application. Applicant intends to fund the provision of service through internally generated cash flow. Applicant also has the ability to borrow funds, if required, based upon its financial capabilities, to provide service in the State of Florida.