



MARASHLIAN & DONAHUE, PLLC
THE *COMMLAW* GROUP

FILED JUN 09, 2016
DOCUMENT NO. 03502-16
FPSC - COMMISSION CLERK

June 3, 2016

VIA OVERNIGHT COURIER

Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6770

REDACTED

RECEIVED-FPSC
2016 JUN -9 PM 2:12
COMMISSION CLERK

Re: FL Network Transport, LLC – Application for Authority to Provide Telecommunications Company Service within the State of Florida/ Request for Confidential Treatment

Ladies and Gentlemen:

On behalf of FL Network Transport, LLC ("Applicant"), transmitted herewith is Applicant's Application for Authority to Provide Telecommunications Company Service within the State of Florida (the "Application"). Also included is a check payable to the Florida Public Service Commission in the amount of \$500.00 for the requisite application fee.

Applicant hereby requests confidential treatment of the documents and information provided in **Exhibit B** of the Application pursuant to Section 364.183(1) F.S., and FL PUC Rule § 25-22.006(5). The Application contains proprietary confidential business information, including financial information, as defined by Section 364.183(3) F.S. This information is competitively sensitive, and its disclosure would have a negative competitive impact on Applicant were it made publicly available.

Accordingly, enclosed are the following documents:

- One (1) original copy of the Application, including all confidential materials;
- One (1) copy of the Application highlighting the specific information claimed as confidential; and
- Two (2) edited/ redacted copies of the Application made available for public inspection.

Please date stamp and return the additional copy of the Application. Should you have any questions regarding the Application, please contact the undersigned.

Respectfully submitted,

Michael P. Donahue
Counsel for FL Network Transport, LLC

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward deposit information to Records.

Initials of person who forwarded check:

Enclosures

COM	_____
AFD	_____
APA	_____
ECO	_____
ENG	_____
GCL	_____
IDM	_____
TEL	1 _____
CLK	_____

FLORIDA PUBLIC SERVICE COMMISSION

OFFICE OF TELECOMMUNICATIONS

APPLICATION FORM

FOR

AUTHORITY TO PROVIDE 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 transfer of an existing certificate. In the case of a transfer, the information provided shall be for the 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 one copy of this form along with a non-refundable application fee of **\$500.00** to:

**Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770**

- E. A filing fee of **\$500.00** is required for the transfer of an existing certificate to another company.
- F. If you have questions about completing the form, contact:

**Florida Public Service Commission
Office of Telecommunications
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600**

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.

2. Name of company: **FL Network Transport, LLC**

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

N/A

4. Official mailing address:

Street/Post Office Box: **925B Peachtree St. NE, Suite 710**

City: **Atlanta**

State: **GA**

Zip: **30309**

5. Florida address:

Street/Post Office Box: **c/o NRAI Services, Inc., 1200 S. Pine Island Road**

City: **Plantation**

State: **Florida**

Zip: **33324**

6. Structure of organization:

Individual

Foreign Corporation

General Partnership

Other, please specify:

Foreign Limited Liability Company

Corporation

Foreign Partnership

Limited Partnership

If individual, provide:

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

7. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is: **N/A**
8. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is: **M16000002277**
9. **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: **N/A**
10. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is: **N/A**
11. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

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

12. **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: **N/A**

13. Provide **F.E.I. Number**: 32-0490030

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

(a) The application:

Name: **Michael P. Donahue**
Title: **Legal Counsel for Mobilitie Transport and Broadband, LLC**
Street Name & Number: **Marashlian & Donahue, PLLC
1420 Spring Hill Road, Suite 401**
Post Office Box:
City: **McLean**
State: **Virginia**
Zip: **22102**
Telephone No.: **(703) 714-1319**
Fax No.: **(703) 563-6222**
E-Mail Address: **mpd@commlawgroup.com**
Website Address: **www.commlawgroup.com**

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

Name: **Dave Garner**
Title: **Vice President**
Street Name & Number: **925B Peachtree Street NE, Suite 710**
Post Office Box:
City: **Atlanta**
State: **GA**
Zip: **30309**
Telephone No.: **(877) 296-1009**
Fax No.: **(949) 274-7556**
E-Mail Address:
Website Address: **www.mobilitie.com**

(c) Where will you officially designate as your place of publicly publishing your schedule (a/k/a tariffs or price lists)?

- Florida Public Service Commission
- Website – Website address: **www.mobilitie.com**
- Other – Please provide address:

15. List the states in which the applicant:

(a) has operated as a telecommunications company.

Applicant is a newly formed company. Accordingly, Applicant has not operated as a telecommunications company in any jurisdiction.

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

Florida is the only state in which Applicant is currently applying to be a certificated telecommunications company.

(c) is certificated to operate as a telecommunications company.

Applicant is a newly formed company. Accordingly, Applicant has not been certified as a telecommunications company in any jurisdiction.

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

Applicant has not been denied authority to operate as a telecommunications company in any jurisdiction.

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

Applicant has not had any regulatory penalties imposed for violations of telecommunications statutes in any jurisdiction.

(f) has been involved in civil court proceedings with another telecommunications entity, and the circumstances involved.

Applicant has not been involved in civil court proceedings with another telecommunications entity in any jurisdiction.

16. Have any of the officers, directors, or any of the ten largest stockholders 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. Yes No

If yes, provide explanation. N/A

(b) granted or denied a certificate in the State of Florida (this includes active and canceled certificates). Yes No

If yes, provide explanation and list the certificate holder and certificate number. **N/A**

(c) an officer, director, partner or stockholder in any other Florida certificated or registered telephone company. Yes No

If yes, give name of company and relationship. If no longer associated with company, give reason why not. **N/A**

17. Submit the following:

(a) **Managerial capability:** resumes of employees/officers of the company that would indicate sufficient managerial experiences of each. Please explain if a resume represents an individual that is not employed with the company and provide proof that the individual authorizes the use of the resume. **Please see Exhibit A attached hereto.**

(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. Please explain if a resume represents an individual that is not employed with the company and provide proof that the individual authorizes the use of the resume. **Please see Exhibit A attached hereto.**

(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: *It is the applicant's burden to demonstrate that it possesses adequate managerial capability, technical capability, and financial capability. Additional supporting information can be supplied at the discretion of the applicant.*

Please see Exhibit B attached hereto.

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 telecommunications company 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 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.**"

I understand that any false statements can result in being denied a certificate of authority in Florida.

COMPANY OWNER OR OFFICER

Print Name: Dave Garner
Title: Vice President
Telephone No.: (877) 296-1009
E-Mail Address: solutions@mobilitie.com

Signature:  Date: 6-7-16

EXHIBIT A

Management Resumes

Dave Garner

3972 Barranca Parkway, Suite J-606, Irvine, CA 92606 | 520-456-6652

Professional Experience:

Thirty-six years of experience in the telecommunication industry including network design, implementation, and project management; thirteen years of experience in outside plant construction, cable television, telephone, and aerial and underground fiber optics. Launched numerous wireless and DAS systems. Possesses international experience building and launching wireless and fiber optic communication systems.

President of SDV LLC 2010.

Languages: Proficient written and spoken Spanish.

Work History:

Vice President - Interstate Broadband and Transport – Irvine, CA

July 2015 – Present

Overseeing implementation of NOC processes and procedures, managing RFPs and implementation of SOWs, managing fiber bids for T-Mobile, supervising site selection criteria and set up for Macro site selection, and overseeing implementation of utility coordination processes, procedures, and training.

Market Manager, Construction - Black & Veatch – Kansas City, MO

February 2014 – July 2015

Managed construction projects and implementation in the MOKAN (Missouri –Kansas) area.

Market Manager, Backhaul - Black & Veatch – Chicago, IL

June 2013 – February 2014

Managed the implementation of backhaul in Chicago.

Regional Construction Manager - Black & Veatch – Chicago, IL

November 2011 – May 2012

Supervised the construction and implementation of sites for the Sprint Network Vision Project, including the deployment of 1,105 sites in Chicago and approximately 400 sites in Indiana.

Deputy Construction Manager - Bechtel – Phoenix, AZ

May 2011 – November 2011

Managed the construction for AT&T turfing in Phoenix.

Lead Field Coordinator - Bechtel – Chicago, IL

January 2011 – May 2011

Managed 220 sites for Clear-wire Substantial Services project.

President - SDV LLC – Minneapolis, MN

February 2010

Acted as project manager of construction and managed the 4G network roll out for SDV LLC, as part of Clear-wire Minneapolis.

Consultant

1996-2009

Successful System Launches:

- **Lead Construction Manager/Project Manager - Cricket Communications**
Managed 220 sites in the downtown Chicago area. Coordinated A&E, power and telco, and bid walks. Responsible for managing up to fifteen construction managers.
- **DAS Project Manager - Cricket Communications**
Managed the installation of five outdoor DAS systems with approximately twenty miles of fiber and thirty remote location installations. Managed and oversaw installation of DAS systems in O'Hare and Midway airports and all underground tunnels and platforms of the Chicago Transit Authority, as well as various malls, casinos and McCormick Place, and an 8 million square foot show center.
- **VIAX Implementation Director - Argentina Fiber Optics**
Oversaw and managed the installation of fiber ducts, cables, and equipment in Buenos Aires, Argentina.
- **Project/Contract Manager - Nortel Argentina, Impsat 2000 Fiber Optics**
Oversaw and managed the installation of network operating centers in Buenos Aires, Argentina and Sao Paulo, Brazil. Installed fiber rings in Buenos Aires and Sao Paulo and fiber from Buenos Aires, Argentina to Santiago, Chile.
- **Project Manager - Copesa GSM Project**
Responsible for design, site acquisition, construction and turn on of 47 sites in Paraguay.
- **Site Engineering Manager, Nortel Singapore**
Implemented new drawings and engineering standards for 60 sites in Singapore.
- **Construction Manager - Western Wireless, Nortel Oklahoma**
Oversaw and managed the installation of 110 sites in Oklahoma.
- **Construction Manager - Omnipoint Florida**
Oversaw and managed the installation of 120 sites in Florida.

Quality Assurance Representative and Field Supervisor - GTE

1989 – 1996

Projects:

- **GTE RTSS Project**
Acted as the quality assurance representative and installation team supervisor on the GTE RTSS Project, a secure telephone distribution system linking major U.S. military command posts around the world. Possessed TS/SCI security clearance.
- **GTE/MSE/EAC Project**

Fielded the mobile subscriber equipment to military units worldwide.

■ **GTE/CTI Cellular Project**

Area Manager for the CTI Cellular Project in Argentina. Managed all aspects of turnkey project of 996 sites including system design, site acquisition, installation, contract management and final testing with CNT.

OSP Installation Associate

1981-1989

Mapped pole lines and ground easements for incorporation into drawings for installing and designing Cable television systems. Installed strand for support of trunk and feeder cables. Installed and trenched conduits and pedestals for underground systems. Installed trunk and feeder cables per design. Spliced trunk and feeder cables per design. Turn on of installed systems and design of systems for incorporation into the final drawings.

EXHIBIT B

Financial Information

Filed Separately Under Seal