

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: December 17, 2020

TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

FROM: Sakina Deas, Public Utility Analyst II, Office of Industry Development & Market Analysis ^{SD}

RE: Docket No. 20200253-TX- Application for certificate to provide local telecommunications service by Netsync Fiber Inc

Attached is a replacement application for Netsync Fiber Inc correcting the company name to reflect the name on file with the Department of State and a clarification email regarding the financials submitted. Please add to docket file. If you have questions please contact me at 413-6504.

From: [Sakina Deas](#)
To: [Debra Betton](#)
Subject: FW: Netsy nc Fiber Inc. application to provide telecommunication service in Florida
Date: Thursday, December 17, 2020 11:20:53 AM

From: tom@telecomreg.com [mailto:tom@telecomreg.com]
Sent: Tuesday, December 15, 2020 12:58 PM
To: Sakina Deas
Cc: tom@telecomreg.com
Subject: RE: Netsy nc Fiber Inc. application to provide telecommunication service in Florida

Ms. Deas – Pursuant to your request, here are the applicable years for the Netsync financials.

Year 1 is 2021, Year 2 is 2022, Year 3 is 2023, Year 4 is 2024, and Year 5 is 2025.

Thank you, Tom

Rowland & Moore LLP
200 W. Superior St., Suite 400
Chicago, IL 60654
312-803-1000 Ex 31.

The preceding email message and any attachments may contain confidential information protected by the attorney-client or other privilege and is intended exclusively for listed recipient(s). Please do not forward or distribute to any other person. If you believe that it has been sent to you in error, please contact Rowland & Moore LLP at 312-803-1000 and then delete the message from your system.

IRS CIRCULAR 230 NOTICE: To the extent this message or any attachment concerns tax matters, it is not intended or written to be used, and cannot be used by a taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer under law and was not written to support the promotion or marketing of any transaction or matter discussed herein.

From: Sakina Deas <SDEAS@PSC.STATE.FL.US>
Sent: Friday, December 11, 2020 8:32 AM
To: 'tom@telecomreg.com' <tom@telecomreg.com>
Subject: Netsy nc Fiber Inc. application to provide telecommunication service in Florida

Tom,

We received Netsy nc Fiber Inc.'s application to provide telecommunication service in Florida. The financials provided include five years of data but does not indicate which five years. You can provide which years are represented by email. If you have any question please let me know.

Sakina Deas

Florida Public Service Commission

Office of Industry Development and Market Analysis

2540 Shumard Oak Boulevard

Tallahassee, FL 32399

(850) 413-6504

sdeas@psc.state.fl.us

APPLICATION

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 rather than apply for a new certificate.

Please provide the following:

1. Full name of company, including fictitious name(s), that must match identically with name(s) on file with the Florida Department of State, Division of Corporations registration:

Netsync Fiber Inc

2. The Florida Secretary of State corporate registration number:

F20000004179

3. F.E.I. Number: 83-4555077

4. Structure of organization:

The company will be operating as a:

(Check all that apply):

Corporation

Foreign Corporation

Limited Liability Company

Sole Proprietorship

General Partnership

Foreign Partnership

Limited Partnership

Other, please specify below:

If a partnership, provide a copy of the partnership agreement.

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

5. Who will serve as point of contact to the Commission in regard to the following?

(a) This application:

Name: Thomas H. Rowland
Title: Counsel, Rowland & Moore LLP
Street Address: 200 West Superior St., Suite 400
Post Office Box: _____
City: Chicago
State: IL
Zip: 60613
Telephone No.: (312) 803-1000
Fax No.: _____
E-Mail Address: tom@telecomreg.com

(b) Ongoing operations of the company:

(This company liaison will be the point of contact for FPSC correspondence. This point of contact can be updated if a change is necessary but this must be completed at the time the application is filed).

Name: Dave Irek
Title: Chief Technology Officer & General Manager
Street Address: 2500 West Loop South Ste. 410
Post Office Box: _____
City: Houston
State: TX
Zip: 77027
Telephone No.: (877) 388-1287
Fax No.: _____
E-Mail Address: direk@netsync.com
Company Homepage: www.netsync.com

(c) Optional secondary point of contact or liaison:

(This point of contact will not receive FPSC correspondence but will be on file with the FPSC).

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

6. Physical address for the applicant that will do business in Florida:

Street address: 2500 West Loop South Ste. 410
City: Houston
State: TX
Zip: 77027
Telephone No.: (877) 388-1287
Fax No.: _____
E-Mail Address: ServiceDesk@netsyncnetwork.com

7. List the state(s), and accompanying docket number(s), in which the applicant has:

(a) **operated** as a telecommunications company. Applicant is authorized as a CLEC in Illinois (Docket 19-0778, dated October 17, 2019).

(b) **applications pending** to be certificated as a telecommunications company. Applicant is in the process of applying for CLEC certificates in Texas and Missouri.

(c) **been certificated** to operate as a telecommunications company. Applicant is authorized as a CLEC in Illinois (Docket 19-0778, dated October 17, 2019).

(d) **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.

(e) **had regulatory penalties imposed** for violations of telecommunications statutes and the circumstances involved. Applicant has not had regulatory penalties imposed upon it.

(f) **been involved in civil court proceedings** with another telecommunications entity, and the circumstances involved. Applicant has not been involved in any civil court proceeding.

8. The following questions pertain to the officers and directors. Have any 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.

NA

(b) granted or denied a certificate in the State of Florida (this includes active and canceled certificates)? Granted Denied Neither

If granted provide explanation and list the certificate holder and certificate number.

NA

If denied provide explanation.

NA

(c) an officer, director, and partner in any other Florida certificated telecommunications company? Yes No

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

NA

9. Florida Statute 364.335(1)(a) requires a company seeking a certificate of authority to demonstrate its managerial, technical, and financial ability to provide telecommunications service.

Note: *It is the applicant's burden to demonstrate that it possesses adequate managerial ability, technical ability, and financial ability. Additional supporting information may be supplied at the discretion of the applicant. For the purposes of this application, financial statements MUST contain the balance sheet, income statement, and statement of retained earnings.*

- (a) **Managerial ability:** An applicant must provide 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.

See Exhibit 1.

- (b) **Technical ability:** An applicant must provide 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.

See Exhibit 1.

- (c) **Financial ability:** An applicant must provide financial statements demonstrating financial ability by submitting a balance sheet, income statement, and retained earnings statement. An applicant that has audited financial statements for the most recent three years must provide those financial statements. If a full three years' historical data is not available, the application must include both historical financial data and pro forma data to supplement. An applicant of a newly established company must provide three years' pro forma data. If the applicant does not have audited financial statements, it must be so stated and signed by either the applicant's chief executive officer or chief financial officer affirming that the financial statements are true and correct.

See CONFIDENTIAL Exhibit 2.

10. Where will you officially designate as your place of publicly publishing your schedule a/k/a tariffs or price lists)? (Tariffs or price lists MUST be publicly published to comply with Florida Statute 364.04).

Florida Public Service Commission

Website – Please provide Website address: www.netsync.com

Other – Please provide address: _____

THIS PAGE MUST BE COMPLETED AND SIGNED

REGULATORY ASSESSMENT FEE: I understand that all telecommunications companies must pay a regulatory assessment fee. A minimum annual assessment fee, as defined by the Commission, is required.

RECEIPT AND UNDERSTANDING OF RULES: I understand the Florida Public Service Commission's rules, orders, and laws relating to the provisioning of telecommunications company service in Florida.

APPLICANT ACKNOWLEDGEMENT: By my signature below, I, the undersigned owner or officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical ability, managerial ability, and financial ability 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 have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules, orders and laws.

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 or her 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: Khalid Abunaja
Title: Owner
Telephone No.: 2816609717
E-Mail Address: ka@netsync.com

Signature: _____



Date: 11/23/2020

STATE OF TEXAS)
)
COUNTY OF Harris)

Verification

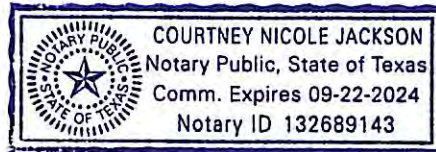
I, Khalid Abunaja, being first duly sworn, depose and state that I am the Chief Executive Officer of Netsync Fiber Inc. and that the attached document was produced by me or under my direction and the contents thereof and the statements therein contained are true, to the best of my knowledge, information and belief.

Khalid Abunaja



President
Netsync Fiber Inc.

Subscribed and Sworn
to before me this 23th
day of November 2020.







Khalid Abunaja
CEO

Khalid is an entrepreneurial executive with over 20 years' experience in the information technology industry and is the founder of Netsync Fiber Inc. Khalid is also cofounder of Netsync Network Solutions and serves as Vice President of Operations, overseeing daily operations at Netsync Network Solutions since 2004. Khalid has been paramount to the unprecedented organic growth across Texas within diverse verticals in the public, commercial, and service provider sectors. Under Khalid's leadership, Netsync has grown to be one of the most respected value-added resellers (VAR) in the industry.

Khalid leads the Netsync team's efforts to optimize its IT service and best-of-breed solutions to meet the ever-demanding needs of an expanding client base.

Business Achievements

- Leading Netsync to annual revenues in excess of \$300 million annually
- Inc. 5000 Company Recognition – 2015, 2016, 2017, and 2018
- CRN Tech Elite 250 – 2015, 2016, and 2018
- CRN Triple Crown – 2015 and 2016
- CRN Fast Growth 150 – 2015
- CRN Solution Provider 500 – 2015, 2016, and 2018
- HBJ Fast Tech 25 – 2016
- Cisco National SLED Partner of the Year – 2017, 2018, and 2019
- Cisco Area Partner of the Year, South Region – 2018
- Cisco Gold Partner
- VMware Premier Solution Provider
- NetApp Gold Partner
- F5 Certified Technology Specialist
- Dell/EMC Gold Partner
- HP Platinum Partner

Khalid holds a Bachelor of Science degree in Computer Science from the University of Houston in Houston, TX.



Dave Irek
Managing Director and Head of Business Development

Dave Irek is a seasoned veteran of the communications and networking industry with over 30 years of business development, sales management, and engineering experience. Dave joined Netsync Fiber as the Managing Director and Head of Business Development and, driving the strategy for the business, is focused on Netsync Fiber's development and expansion. Before joining Netsync Fiber, Dave was the Practice Manager for the Optical, WAN, and Service Provider business for Netsync Network Solutions. Dave previously was the Owner and Lead Consultant for Connected Consulting Group, LLC, based in Rockwall, Texas, where he ran the consulting business both from a national and global level with major network integration organizations like Dimension Data, an NTT company, and Infinera, an optical OEM.

Formerly, Dave was Senior Business Development Manager for Emerging Markets with Cisco Systems; Regional Sales Manager for Cerent Corporation, a private startup company acquired by Cisco; Sales Manager at Ciena Corporation; and Engineering Manager at Fujitsu Network Communications. Dave's experience spans the service provider, public sector, enterprise and commercial markets worldwide.

Project Experience Highlights

- Led the Netsync Optical, WAN, and Service Provider team to bring transformational solutions to 20-plus public sector, K-12, higher education, healthcare and enterprise clients across Texas.
- Consulted for a global systems integrator that realized a 7:1 return on investment for the client.
- Developed an optical business for a US-based national systems integrator that grew the business from zero to \$10 million-plus in 12 months.
- Key leader of the Emerging Markets organization for Cisco, driving the core IP next-generation network (IP NGN) business within the Middle East and Africa markets, representing \$1.2 billion in annual revenue.
- Developed US enterprise optical sales strategy growing the annual revenue to \$250 million.
- Built nationwide sales engineering organization to support new optical business for Cisco.
- Developed and managed four of the largest strategic accounts for Cerent Corporation: Alltel, Century Telephone, Citizens Communications, and Cincinnati Bell, driving increased valuation for acquisition by Cisco.
- Developed multiple multimillion dollar accounts for Ciena Corporation in the Northwest US, managing annual revenue in excess of \$90 million.
- Led engineering efforts for product certification into Fujitsu's largest client opportunity, eventually generating \$1.5 billion in revenue.

Dave holds a Bachelor of Science degree in Engineering with specialization in Telecommunications Engineering from Texas A&M University in College Station, TX.



Mike Underdown
Executive Director – Operations

Mike Underdown has nearly 30 years of experience in the telecommunications infrastructure industry and is currently the Executive Director – Operations at Netsync Fiber Inc. Formerly, Mike was the COO of Comdesco Group, Inc., a communications design and consulting firm focused on developing outside plant and inside plant (multi-tenant and data center buildings) for fiber optic and wireless networks. Some of Comdesco’s clients as a result of his leadership and sales efforts include Google Fiber, AT&T, Comcast, Verizon, Sprint, CenterPoint Properties, Digital Realty Trust, QTS, University of Chicago, Northwestern University, Zayo Group, and Server Farm Realty.

Mike was also Founder and President of Chicago Fiber Systems, where thanks to his leadership, the firm achieved its three primary objectives, resulting in a successful sale to Sunesys, now Crown Castle. Before his work with Chicago Fiber Systems, Mike worked for or with several of the largest telecommunications companies in the world.

Project Experience Highlights

- QTS – Provided technical consulting services related to the fiber optic infrastructure in and around the greater MSA of the data center; formulated strategies to improve fiber entrance facilities to mitigate latency and improve building distribution; design/build of meet me vaults to improve carrier coordination and ease of interconnection.
- CenterPoint Properties – Formulated strategies to improve fiber entrance facilities to mitigate latency and improve building distribution; design/build of meet me vaults to improve carrier coordination and ease of interconnection.
- Server Farm – Contracted to redevelop Northern Trust office and small data center into a wholesale facility in downtown Chicago; carrier coordination and attraction – designed meet me vaults in the freight tunnel system; coordinated and collaborated with the city of Chicago and its governing bodies to facilitate Server Farm objectives for the development of the data center; completed fault-tolerant design of network; designed operational plans for the meet me rooms and risers; collaborated on go-to-market strategies for positioning the building with carriers and tenants; found and sold anchor tenant.
- Digital Realty – Expert Testimony – Evaluation of Telx and Equinix interconnections between floors and facilities.
- 601 Polk (now owned by TierPoint) – Sourced and acquired site for redevelopment from carrier hotel to data center; provided all operational, budget, and management support of the facility until its sale in 2010

Mike holds a Master of Education degree in Educational Psychology from Eastern Illinois University in Charleston, IL.



Rusty Winchel
Program Manager – Construction

With over 35 years of defining and implementing telecommunications projects, Rusty Winchel’s experience in engagement and leadership for all size projects has shown consistent emphasis on quality, reliability, and scalability. Rusty has the demonstrated ability to translate a desired services portfolio to a network design, taking the process from concept through implementation to create an operational solution.

A consultative approach to defining organizations’ goals in addition to technology solutions has enabled Rusty to address process, policy, and technical obstacles during client engagements. With many of the municipal and government deployments of technology becoming more focused and engaged with their constituents, Rusty’s history of advocacy for underfunded and underserved communities in need has provided a framework for investment by public sector clients in digital equity projects, applications, and training programs, providing significant value beyond the technology solution.

Areas of Proficiency

- Management of personnel and resources required to design, deploy, and support technology solutions in a global market.
- Management approach informed by field experience.
- Knowledgeable of entire communications chain from backbone transport to applications device.
- Broad command of voice, video, and data transport technologies.
- Extensive surveillance system applications, deployment, and virtual machine (VM) policy analysis.
- Broad consultative capabilities to identify organizational needs and priorities and develop business solutions and processes.

Project Experience Highlights

- National and international deployment of technology and data transport solutions.
- Fiber network design, deployment, and operation of fiber networks for both private and public sector clients and partners.
- Surveillance camera integration, consolidation, VM solutions, and network solutions for emergency management, public safety, municipal, and education clients.
- Successful grant application and project deployment for the Federal Communications Commission (FCC), Broadband Technology Opportunities Program (BTOP), and state-funded broadband programs.

Rusty holds a Bachelor of Science degree from the College of Business Industry and Communications at the University of Wisconsin – Platteville. His certifications include MEF Certified Professional and FCC General Class Radio Telephone License.

Exhibit 2 - Public

(Confidential version filed separately)