



RECEIVED-FPSC

May 20, 2020

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Ms. Carlotta Stauffer, Commission Clerk
Florida Public Service
Commission 2540 Shumard
Oak Boulevard Gerald
Gunter Building
Tallahassee FL 32399

COMMISSION
CLERK

REDACTED

RE: GIGAMONSTER NETWORKS, LLC'S APPLICATION FOR AUTHORITY TO PROVIDE TELECOMMUNICATIONS SERVICE WITHIN THE STATE OF FLORIDA

Dear Ms. Stauffer:

On behalf of GigaMonster Networks,, LLC ("Applicant"), enclosed for filing is an original and one (1) copy of an Application for Authority to Provide Local Exchange and Interexchange Telecommunications Services within the State of Florida. Also enclosed is a check in the amount of \$500.00 to cover the requisite filing fee.

Pursuant to Sections 364.183(1) and 364.183(3), Florida Statutes, Applicant respectfully requests confidential treatment for the confidential and proprietary information included as *confidential* **Exhibit C** of the Application. Pursuant to Rule 25-22.006(5), Florida Administrative Code, one (1) copy of Applicant's financial information in a separate envelope marked *confidential* **Exhibit C** is being requested to be submitted and therefore filed and highlighted under seal.

Please date-stamp the extra copy of this cover letter and return it in the envelope provided.

Should you have any questions concerning this filing, please do not hesitate to contact me.

Respectfully Submitted,

Laura Garfinkel

Laura Garfinkel
Senior Telecommunications Consultant
Global Strategic Accountants, LLC ("GSA")
6250 Shiloh Rd #110
Alpharetta GA, 30005
Phone: (973) 760-9218
Facsimile: (678) 304-6469
laura@gsaudits.com

Note: no copy included.
TH.

cc: Steven R. Mutton, Vice President Accounting & Finance
Ronald K. (Ron) Rueve, Tax Manager

FLORIDA PUBLIC SERVICE COMMISSION

OFFICE OF INDUSTRY DEVELOPMENT AND MARKET ANALYSIS

APPLICATION FOR ORIGINAL AUTHORITY OR TRANSFER OF AUTHORITY TO PROVIDE TELECOMMUNICATIONS SERVICE IN THE STATE OF FLORIDA

INSTRUCTIONS

This form should be used as the application for an original certificate and transfer of an existing certificate (from a Florida certificated company to a non-certificated company). In the case of a transfer, the information shall be provided by the transferee. If you have other questions about completing the form, call **(850) 413-6600**.

Print or type all responses to each item requested in the application. If an item is not applicable, please explain. All questions must be answered. If unable to answer the question in the allotted space, please continue on a separate sheet.

Once completed, submit the **original and one copy** of this form along with a **non-refundable** fee of **\$500.00** to:

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

APPLICATION

This is an application for (check one):

X - 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:

GIGAMONSTER NETWORKS, LLC

2. The Florida Secretary of State corporate registration number: **M19000002091**
3. F.E.I. Number: **38-4082854**
4. Structure of organization:

The company will be operating as a:
(Check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> General Partnership |
| <input type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership |
| <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Other, please specify below: |
-

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

The Applicant is not a partnership.

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

See Exhibit A for Applicant's Certificate of Authority to Transact Business in Florida.

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

(a) This application:

Company: **Global Strategic Accountants, LLC ("GSA")**
Name: **Laura Garfinkel**
Title: **Sr. Telecommunications Consultant**
Street/Post Office Box: **6250 Shiloh Road, Suite 110**
City: **Alpharetta**
State: **Georgia**
Zip: **30005**
Telephone No.: **973-760-9218**
Fax No.: **866-611-5443**
E-Mail Address: **laura@gsaudits.com**
Website Address: **<http://www.gsaudits.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: **Steven R. Mutton**
Title: **VP-Accounting & Finance**
Street/Post Office Box: **350 Franklin Gateway, Suite 300**
City: **Marietta**
State: **Georgia**
Zip: **30067**
Telephone No.: **404-961-7942**
Fax No.: **404-645-7734**
E-Mail Address: **smutton@gigamonster.net**
Website Address: **<http://www.gigamonster.net>**

(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: **Ronald R. Rueve**
Title: **Tax Manager**
Street/Post Office Box:
Street/Post Office Box: **350 Franklin Gateway, Suite 300**
City: **Marietta**
State: **Georgia**
Zip: **30067**
Telephone No.: **404-961-7011**
Fax No.: **404-645-7734**
E-Mail Address: **rrueve@gigamonster.net**

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

Street/Post Office Box: **1201 Hays Street**
City: **Tallahassee**
State: **Florida**
Zip: **32301**
Telephone: **866-403-5272**
Fax No: **302-636-5454**
Email: **Registered Agent Services**
Note all correspondence by and through U.S. post

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

(a) **operated** as a telecommunications company.

GigaMonster Networks, LLC is a Company that provides best in class telecommunications Products and Services. The Company has pending Commission Certifications in multiple states to provide Services. Further the Company shall register in states as appropriate and pursuant to business evolution.

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

At this time the Company has registrations pending in Georgia with other states to follow as warranted. The Company will applications contingent upon business requirements to different states based on Company growth across and within the United States.

(c) **been certificated** to operate as a telecommunications company.

The Company holds certifications with the Federal Communications Commission ("FCC") pursuant to governmental statutes along with possessing all requisite registrations related to FRN and a USAC 499 filer id.

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

Applicant has not been denied requested certification in any jurisdiction, nor has any authority been permanently revoked by any authority.

(e) **had regulatory penalties imposed** for violations of telecommunications

statutes and the circumstances involved.

To management's knowledge, Applicant has not incurred any regulatory penalties for violations of telecommunications statutes.

(f) **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.

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.

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

Applicant has had no prior grant of certificate by the Commission.

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

If denied provide explanation.

(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.

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.

Exhibit B.

- (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.

Exhibit B.

- (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.

Exhibit C.

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: _____

X Other – Please provide address:

Street/Post Office Box: **350 Franklin Gateway, Suite 301**

City: **Marietta**, State: **Georgia**

Zip: **30067**

Telephone No.: **844-444-2248**

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: Steven R. Mutton
Title: Vice President Accounting & Finance
Telephone No.: 404-961-7942
E-Mail Address: smutton@gigamonster.net

Signature:  Date: 5-20-20

CERTIFICATE TRANSFER

Not Applicable to Applicant

As current holder of Florida Public Service Commission Certificate Number _____, I have reviewed this application and join in the petitioner's request for a transfer of the certificate.

COMPANY OWNER OR OFFICER

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

Signature: _____ Date: _____

LIST OF EXHIBITS

Exhibit A - Authority to Transact Business

Exhibit B - Managerial and Technical Qualifications

Exhibit C - Financial Statements

CONFIDENTIAL - FILED WITH CLAIM OF CONFIDENTIALITY

Exhibit A

GigaMonster Networks, LLC

Authority to Transact Business

State of Florida

Department of State

I certify from the records of this office that GIGAMONSTER NETWORKS, LLC is a Delaware limited liability company authorized to transact business in the State of Florida, qualified on February 28, 2019.

The document number of this limited liability company is M19000002091.

I further certify that said limited liability company has paid all fees due this office through December 31, 2020, that its most recent annual report was filed on May 1, 2020, and that its status is active.

I further certify that said limited liability company has not filed a Certificate of Withdrawal.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Seventeenth day of May, 2020*



Samuel R. Bee
Secretary of State

Tracking Number: 5987129696CU

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>

Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "GIGAMONSTER NETWORKS, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE FIFTEENTH DAY OF AUGUST, A.D. 2019.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "GIGAMONSTER NETWORKS, LLC" WAS FORMED ON THE SEVENTEENTH DAY OF MAY, A.D. 2018.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



6889906 8300

SR# 20196547674

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JBULLOCK", written over a horizontal line.

Authentication: 203419561

Date: 08-15-19

Exhibit B

GigaMonster Networks, LLC

Managerial and Technical Qualifications

Bill Dodd, Co-Founder, Chairman and Chief Executive Officer

Bill Dodd currently serves as Co-Founder, Chairman and CEO of GigaMonster Networks, LLC a leading fiber-based gigabit Internet providers to residents of multifamily communities. Bill will lead the Company's efforts to build a national telecommunications network dedicated to providing superior quality Internet services to its subscribers and bundling these services with applications and program-based content like DIRECTV.

Bill's previous role was Chairman, President and CEO of DIRECPATH, which he grew to become one of the nation's top Internet providers in the multifamily private cable operator industry, and to become one of only three master system operators for DIRECTV. Under Bill's leadership, DIRECPATH held the highest average market share in the DIRECTV multifamily channel for the past 9 years, which is currently 86% above the channel average.

Prior, Bill served as President and COO of Biltmore Communications, where he led the company's strategy to launch the nation's first IPTV offering in a multifamily community. As a pioneer in IPTV, Bill's efforts led the nation in multifamily IPTV deployments until he sold the company to DIRECPATH in 2007. Before joining Biltmore Communications, Bill co-founded Open Point Networks to address the critical need for regional roaming among high-speed wireless data networks and served as its President and COO until its sale in 2003 to Biltmore Communications. Prior, he co-founded and served as Chairman and CEO of Blue Rock, which he sold to Israeli-based RichFX, which specialized in the development of algorithms for streaming computer-generated video.

Bill has served as a director on various corporate and non-profit boards, and currently serves on the Multifamily Broadband Council (MBC). Bill co-founded and served as Chairman of the InfnitEnergy Partnership Board of the Georgia Institute of Technology's new alternative energy research center. Bill received his Bachelor of Engineering, summa cum laude, from The Georgia Institute of Technology and his Master of Business Administration from Harvard University.

Steven Mutton, Vice President – Finance & Accounting

Steven Mutton has served as a finance professional for more than 20 years, joining the GigaMonster family in 2008. As VP-Finance & Accounting, Steven oversees the Accounting Department and Human Resources along with all financing and relationships with lenders.

Prior to joining the GigaMonster Networks family, Steven worked for Six Flags over Georgia joining that organization in 2000 as Controller and subsequently promoted to Director of Finance becoming one of the youngest Directors in all of Six Flags.

Lindsay Whitehurst, Co-Founder and Chief Marketing Officer

Lindsay has over 11 years of industry experience in the multifamily sector. She directs all marketing, pricing, brand, sales, and relationship strategies for the Company.

Lindsay is recognized throughout the private cable operator channel as the leading expert in building relationships and driving market share in multifamily communities across the nation. She has developed, modified and launched the programs that are used in hundreds of multi dwelling units (MDU) communities today by various multifamily industry channels, including DIRECTV Connected Properties.

Prior, Lindsay served as the VP of Sales and Marketing at DIRECPATH, which under her leadership; DIRECPATH won DIRECTV's most coveted honor, Highest DIRECTV Penetration, three years running. Her success led to DIRECTV engaging DIRECPATH to market many of DIRECTV's own MDU communities throughout the U.S., known as DIRECTV Connected Properties.

Lindsay continues to lead an incredible team of professionals who are now working with several

DIRECTV dealers nationwide to assist in marketing their own DIRECTV communities, many of which are partnering with the Company to provide a highly competitive double play.

Before joining DIRECPATH, Lindsay held positions with Lagasse-Sweet, specializing in Tradeshow marketing and management. She began her career at HomeBanc Mortgage after earning a bachelor's degree in Business Marketing from the Georgia Institute of Technology.

Eric Welles, Vice President of Business Development

Eric Welles joined the Company to lead its business development efforts to secure multifamily Internet service contracts. In his first year has developed a sales lead program from multiple sources, including AT&T.

Prior, Eric was responsible for sales, sales planning, and sales operations at Access Media 3, and led the VC-funded acquisition and integration of ten private cable operators, growing AM3 to over 130,000 RGUs to become the largest private cable operator in the country. In 2003, Eric joined Tunnel Vision Technology (TVTI), a burgeoning custom electronics installation company with a growing bulk DIRECTV and developer contract presence in Chicago. During his tenure at TVTI, Eric doubled their revenue four successive years, and grew TVTI to a national top 20 CI dealer.

Out of college, Eric joined Procter & Gamble in a sales role in their beauty care division. Afterwards, he spent the next twenty years in consumer product management for both large and small companies including, Jacobs Suchard, Del Monte, Diageo, Guinness Bass Import Company, and Lake and PBM Pharmaceuticals. His disciplined structured selling approach, customer focused presentations, and sales funnel development led to demonstrable success selling profitable new distribution to every major retailer in the U.S.

Raised in Pittsford, outside of Rochester, New York, Eric received his bachelor's degree in Geological Sciences from Bradley University.

Jason Gardiner, Vice President - Network

As the Company's Vice President of Network, Jason has served as a Network Engineer for more than 25 years, 15 of those years being in a service provider environment. He has managed networks for the Department of the Army, FAA and Coast Guard, as well as designing, installing and operating the Washington Dulles International Airport network.

Jason has worked exclusively in the Internet Service Provider industry since 2000 and obtained his CCIE in Routing and Switching in 2002. For the last 10 years, he has worked for PurDigital, DIRECPATH, and most recently GigaMonster Networks. Within each of these companies Jason was and is instrumental in designing, building, and running their overall networks.

Outside of work Jason serves as a member of Vestry. He is also the Director and bass player of an instrumental group for the St. Catherine's Episcopal Church. He holds a degree in Internetworking Technology, summa cum laude, from Strayer University.

Russell P. Ludwig IV, Director of Construction

Russell Ludwig is no stranger to the Communications Industry with over 26+ years' industry experience and of those 14 years of construction management. Prior to GigaMonster, Russell spent 10 years working for Comcast in Atlanta, Ga. As Director of Construction Russell is responsible for overseeing all phases of our construction department as well as permitting and working with government officials. This includes estimating services, pre-construction services, preliminary design development, and preparation of construction contracts and specifications packages, bid solicitation, project planning, scheduling, budgetary control, vendor pricing, and product quality assurance.

Russell has budgeted hundreds of projects diverse in both construction methods as well as cost range. He has successfully completed over a combined total of \$1.2 billion in complex Greenfield and Brownfield Mid/High rise residential building projects, including design-build restaurant, hotel, commercial, office, retail, and mixed-use projects with multiple types of distribution systems. Including Structured Cabling, Access Control, Closed Circuit Cameras, and, Audio/Visual systems. Responsibilities also include Hybrid fiber-coax, multi-channel headend, DirecTV MDU distribution systems, FTTU Pre/Post Wires, Wireless, Ethernet data network, Central Office, and, COLO facilities ITT. Russell Ludwig is also liaison for all city/state municipalities for all OSP/ISP construction projects. These also include GA811, NJUNS, traffic/road closure, ROW, pole attachment permitting, make readies, joint trenching, and directional boring underground/aerial projects. These projects vary in size and their geographic locations span nationwide.

Russell currently holds GA, NC, FL, Licenses as well as business statues, business law, NEC Code compliance, and OSHA workplace safety certifications.

Exhibit C

Financial Statements

CONFIDENTIAL - FILED WITH CLAIM OF CONFIDENTIALITY

GIGAMONSTER NETWORKS, LLC.

CERTIFYING OFFICER LETTER

May 20, 2020

Ms. Carlotta Stauffer, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Gerald Gunter Building
Tallahassee FL 32399

Dear Ms. Stauffer,

This letter is to provide you with verification that to the best of my knowledge the financial information included with this submission are true and correct. As certifying officer of the company, I can attest to this fact.

The financial information provided with this submission should be filed under seal and is marked as confidential. The financial information provided to the Commission should only and solely be used for internal Commission use and is being filed under seal in order to not be disclosed to the general public.

Should you have any questions regarding the enclosed financial information please feel free to me.

Very Truly Yours,



Steve R. Mutton
Vice President Accounting & Finance

COMPANY FINANCIALS

UNDER SEAL