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January 27, 1998

DEPOSIT

DATE

D697 08

JAN 28 1998

Florida Public Service Commission
Division of Communications
2540 Shumard Oak Boulevard
Capital Circle Office Center
Tallahassee, Florida 32399-850

980147-TI

Re: TRICOM USA INC., Tariff

Dear Sir or Madame:

Accompanying this transmittal is an original of TRICOM USA, Inc.'s Interexchange Service Tariff, as well as six copies. This tariff is sent to you this day for filing in accordance with the FPSC's regulations.

Additionally, an application form for authority to provide interexchange telecommunications service within the state of Florida, and a check in the amount of two hundred and fifty dollars (\$250.00) are attached to this filing.

Please acknowledge receipt of this transmittal and filing fee by returning a date-stamped copy of the enclosed transmittal letter in the return envelope provided for that purpose.

If there are any questions regarding this tariff, please communicate directly with the undersigned.

Sincerely,

Judith O'Neill
Counsel for TRICOM USA, Inc.

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit.

Initials of person who forwarded check:

AR

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
98 JAN 28 MAIL ROOM 10 58

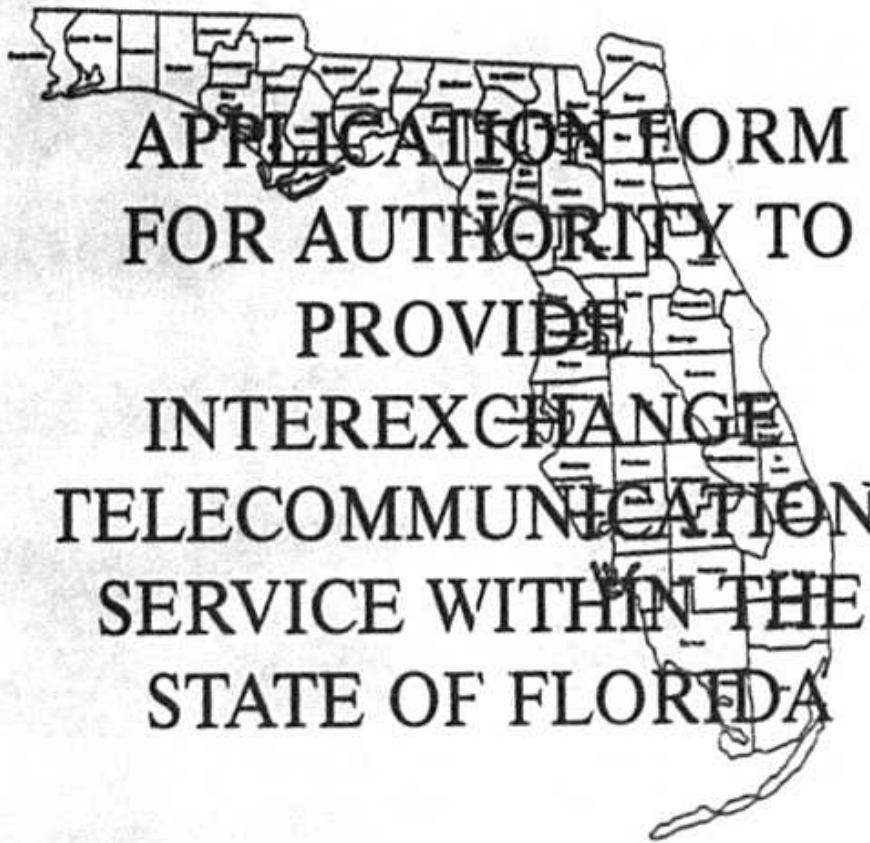
01533-78

This document has been placed in confidential storage pending advice on handling from OPR staff.

DOCUMENT NUMBER-DATE

01533 JAN 28 88

FPSC-RECORDS/REPORTING



APPLICATION FORM
FOR AUTHORITY TO
PROVIDE
INTEREXCHANGE
TELECOMMUNICATION
SERVICE WITHIN THE
STATE OF FLORIDA

DOCUMENT NUMBER-DATE

01532 JAN 28 88

FORM 3566905 (REPORTING

**** FLORIDA PUBLIC SERVICE COMMISSION ***

DIVISION OF COMMUNICATIONS
BUREAU OF SERVICE EVALUATION

APPLICATION FORM
for
AUTHORITY TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE
WITHIN THE STATE OF FLORIDA

Instructions

- A. This form is used for an original application for a certificate and for approval of sale, assignment or transfer of an existing certificate. In case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Appendix A).
- B. Respond to each item requested in the application and appendices. If an item is not applicable, please explain why.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. If you have questions about completing the form, contact:
- E. 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 Communications
Bureau of Service Evaluation
2540 Shumard Oak Blvd.
Gunter Building
Tallahassee, Florida 32399-0850
(904) 413-6600

Florida Public Service Commission
Division of Administration
2540 Shumard Oak Blvd.
Gunter Building
Tallahassee, Florida 32399-0850
(904) 413-6251

2. This is an application for (check one):
- Original Authority (New company).
 - Approval of Transfer (To another certificated company).
 - Approval of Assignment of existing certificate (To an uncertificated company).
 - Approval for transfer of control (To another certificated company).
3. Name of corporation, partnership, cooperative, joint venture or sole proprietorship:
TRICOM, USA, Inc.
4. Name under which the applicant will do business (fictitious name, etc.):
TRICOM U S A
5. National address (including street name & number, post office box, city, state and zip code).
One Exchange Place
Jersey City, NJ 07302
6. Florida address (including street name & number, post office box, city, state and zip code):
Corporation Service Company
1201 Hays Street
Tallahassee, Florida 32301
7. Structure of organization;
- Individual
 - Foreign Corporation
 - General Partnership
 - Other, _____
 - Corporation
 - Foreign Partnership
 - Limited Partnership
8. If applicant is an individual or partnership, please give name, title and address of sole proprietor or partners. Not applicable
- (a) Provide proof of compliance with the foreign limited partnership statute (Chapter 620.169 FS), if applicable.
 - (b) Indicate if the individual or any of the partners have previously been:

**** FLORIDA PUBLIC SERVICE COMMISSION ***

DIVISION OF COMMUNICATIONS
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1. Select what type of business your company will be conducting (check all that apply):

- () Facilities based carrier - company owns and operates or plans to own and operate telecommunications switches and transmission facilities in Florida.
- () Operator Service Provider - company provides or plans to provide alternative operator services for IXCs; or toll operator services to call aggregator locations; or clearinghouse services to bill such calls.
- () Reseller - company has or plans to have one or more switches but primarily leases the transmission facilities of other carriers. Bills its own customer base for services used.
- () Switchless Rebiller - company has no switch or transmission facilities but may have a billing computer. Aggregates traffic to obtain bulk discounts from underlying carrier. Rebills end users at a rate above its discount but generally below the rate end users would pay for unaggregated traffic.
- () Multi-Location Discount Aggregator - company contracts with unaffiliated entities to obtain bulk/volume discounts under multi-location discount plans from certain underlying carriers. Then offers the resold service by enrolling unaffiliated customers.
- (X) Prepaid Debit Card Provider - any person or entity that purchases 800 access from an underlying carrier or unaffiliated entity for use with prepaid debit card service and/or encodes the cards with personal identification numbers.

2. This is an application for (check one):
- Original Authority (New company).
 - Approval of Transfer (To another certificated company).
 - Approval of Assignment of existing certificate (To an uncertificated company).
 - Approval for transfer of control (To another certificated company).
3. Name of corporation, partnership, cooperative, joint venture or sole proprietorship:
TRICOM, USA, Inc.
4. Name under which the applicant will do business (fictitious name, etc.):
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5. National address (including street name & number, post office box, city, state and zip code).
One Exchange Place
Jersey City, NJ 07302
6. Florida address (including street name & number, post office box, city, state and zip code):
Corporation Service Company
1201 Hays Street
Tallahassee, Florida 32301
7. Structure of organization;
- Individual
 - Foreign Corporation
 - General Partnership
 - Other, _____
 - Corporation
 - Foreign Partnership
 - Limited Partnership
8. If applicant is an individual or partnership, please give name, title and address of sole proprietor or partners. Not applicable
- (a) Provide proof of compliance with the foreign limited partnership statute (Chapter 620.169 FS), if applicable.
 - (b) Indicate if the individual or any of the partners have previously been:

(1) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings.

(2) 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.

9. If incorporated, please give:

- (a) Proof from the Florida Secretary of State that the applicant has authority to operate in Florida.

Corporate charter number: F97000004678

- (b) Name and address of the company's Florida registered agent. Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301
- (c) Provide proof of compliance with the fictitious name statute (Chapter 865.09 FS), if applicable.

Fictitious name registration number: _____

- (c) Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(1) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings.

(2) 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.

10. Who will serve as liaison with the Commission in regard to (please give name, title, address and telephone number):

- (a) The application;
Judith O'Neill, Esq.
Reid & Priest LLP, 701 Pennsylvania Avenue, N.W.
Washington, DC 20004 (202) 508-4000
- (b) Official Point of Contact for the ongoing operations of the company;
Pablo Barry
One Exchange Place
Jersey City, NJ 07320 (201) 324-0078
- (c) Tariff;
Judith D. O'Neill, Esq.
Reid & Priest LLP, 701 Pennsylvania Avenue, NW, S 800
Washington, DC 20004 (202) 508-4020
- (d) Complaints/Inquiries from customers;
Pablo Barry
One Exchange Place
Jersey City, NJ 07320 (201) 324-0078

11. List the states in which the applicant:

- (a) Has operated as an interexchange carrier.
None
- (b) Has applications pending to be certificated as an interexchange carrier.
Currently filed in Massachusetts
- (c) Is certificated to operate as an interexchange carrier.
None
- (d) Has been denied authority to operate as an interexchange carrier 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

12. What services will the applicant offer to other certificated telephone companies:

- Facilities. Operators.
 Billing and Collection. Sales.
 Maintenance.
 Other: _____
None

13. Do you have a marketing program?
Yes

14. Will your marketing program:
 Pay commissions?
 Offer sales franchises?
 Offer multi-level sales incentives?
 Offer other sales incentives?

15. Explain any of the offers checked in question 14 (To whom, what amount, type of franchise, etc.).
TRICOM intends to sell cards wholesale, offering volume discounts to retailers

16. Who will receive the bills for your service (Check all that apply)?

- Residential customers. Business customers.
 PATS providers. PATS station end-users.
 Hotels & motels. Hotel & motel guests.
 Universities. Univ. dormitory residents.
 Other: (specify) _____
None

17. Please provide the following (if applicable): Not Applicable

(a) Will the name of your company appear on the bill for your services, and if not who will the billed party contact to ask questions about the bill (provide name and phone number) and how is this information provided?

(b) Name and address of the firm who will bill for your service.

18. Please provide all available documentation demonstrating that the applicant has the following capabilities to provide interexchange telecommunications service in Florida.

A. Financial capability.

Regarding the showing of financial capability, the following applies:

The application should contain the applicant's financial statements for the most recent 3 years, including:

1. the balance sheet
2. income statement
3. statement of retained earnings.

Further, a written explanation, which can include supporting documentation, regarding the following should be provided to show financial capability.

1. Please provide documentation that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.

2. Please provide documentation that the applicant has sufficient financial capability to maintain the requested service.

3. Please provide documentation that the applicant has sufficient financial capability to meet its lease or ownership obligations.

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.

If available, the financial statements should be audited financial statements.

If the applicant does not have audited financial statements, it shall be so stated. The unaudited financial statements should then be signed by the applicant's chief executive officer and chief financial officer. The signatures should affirm that the financial statements are true and correct.

B. Managerial capability.

C. Technical capability.

19. Please submit the proposed tariff under which the company plans to begin operation. Use the format required by Commission Rule 25-24.485 (example enclosed).

20. The applicant will provide the following interexchange carrier services (Check all that apply):

MTS with distance sensitive per minute rates
 Method of access is FGA
 Method of access is FGB
 Method of access is FGD
 Method of access is 800

MTS with route specific rates per minute
 Method of access is FGA
 Method of access is FGB
 Method of access is FGD
 Method of access is 800

MTS with statewide flat rates per minute (i.e. not distance sensitive)

Method of access is FGA
 Method of access is FGB
 Method of access is FGD
 Method of access is 800

MTS for pay telephone service providers

Block-of-time calling plan (Reach out Florida, Ring America, etc.).

800 Service (Toll free)

WATS type service (Bulk or volume discount)
 Method of access is via dedicated facilities
 Method of access is via switched facilities

Private Line services (Channel Services)
(For ex. 1.544 mbs., DS-3, etc.)

Travel Service
 Method of access is 950
 Method of access is 800

900 service

Operator Services
 Available to presubscribed customers
 Available to non presubscribed customers (for example to patrons of hotels, students in universities, patients in hospitals.
 Available to inmates

Services included are:

Station assistance
 Person to Person assistance
 Directory assistance
 Operator verify and interrupt
 Conference Calling

21. What does the end user dial for each of the interexchange carrier services that were checked in services included (above).

22. x Other: Prepaid debit cards. 800 + phone numbers

**** APPLICANT ACKNOWLEDGEMENT 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 its 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. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** A non-refundable application fee of \$250.00 must be submitted with the application.
5. **RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Orders relating to my provision of interexchange telephone service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding interexchange service.
6. **ACCURACY OF APPLICATION:** By my signature below, I the undersigned owner or officer of the named utility in the application, attest to the accuracy of the information contained in this application and associated attachments. I have read the foregoing and declare that to the best of my knowledge and belief, the information is a true and correct statement.

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:

Pablo Barry
Signature

Jan 26, 1998
Date

Pablo Barry

Chief Financial Officer, TRICOM USA, Inc. (201) 324-0078

Title

Telephone No.

FORM PSC/CMU 31 (11/95)

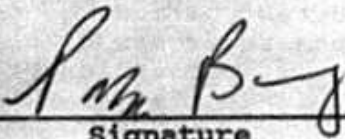
Required by Commission Rule Nos. 25-24.471, 25-24.473, and 25-24.480(2).

**** APPENDIX A ****

CERTIFICATE TRANSFER STATEMENT

I, (TYPE NAME) _____,
(TITLE) _____, of (NAME OF COMPANY)
_____, and current
holder of certificate number _____, have reviewed
this application and join in the petitioner's request for a
transfer of the above-mentioned certificate.

UTILITY OFFICIAL:



Signature

Jan 26, 1998
Date

Pablo Barry

Chief Financial Officer, TRICOM USA, Inc. (201) 324-0078
Title Telephone No.

*This appendix is not applicable, as this is the first time TRICOM USA, Inc. is applying for authority to provide interchange telecommunications service in Florida.

**** APPENDIX B ****

CUSTOMER DEPOSITS AND ADVANCE PAYMENTS

A statement of how the Commission can be assured of the security of the customer's deposits and advance payments may be responded to in one of the following ways (applicant please check one):

- () The applicant will not collect deposits nor will it collect payments for service more than one month in advance.

- () The applicant will file with the Commission and maintain a surety bond in an amount equal to the current balance of deposits and advance payments in excess of one month. (Bond must accompany application.)

UTILITY OFFICIAL:

Pablo Barry
Signature

Jan 26, 1998
Date

Pablo Barry

Chief Financial Officer, TRICOM USA, Inc. (201) 324-0078

Title

Telephone No.

* This Appendix is not applicable. TRICOM USA, Inc. will provide prepaid calling card services, whereby customers pay in advance. TRICOM USA, Inc. will not require a deposit

**** APPENDIX C ****

INTRASTATE NETWORK

1. **POP:** Addresses where located, and indicate if owned or leased.

None
1) 2)
3) 4)

2. **SWITCHES:** Address where located, by type of switch, and indicate if owned or leased. leased

1) 2)
3) 4)

3. **TRANSMISSION FACILITIES:** Pop-to-Pop facilities by type of facilities (microwave, fiber, copper, satellite, etc.) and indicate if owned or leased.

1) POP-to-POP TYPE OWNERSHIP
None
2)

4. **ORIGINATING SERVICE:** Please provide the list of exchanges where you are proposing to provide originating service within thirty (30) days after the effective date of the certificate (Appendix D).

Originating service will be provided from all Florida exchanges.

5. **TRAFFIC RESTRICTIONS:** Please explain how the applicant will comply with the EAEA requirements contained in Commission Rule 25-24.471 (4) (a) (copy enclosed).

Not Applicable

6. **CURRENT FLORIDA INTRASTATE SERVICES:** Applicant has () or has not () previously provided intrastate telecommunications in Florida. If the answer is has, fully describe the following:

- a) What services have been provided and when did these services begin?
- b) If the services are not currently offered, when were they discontinued?

UTILITY OFFICIAL:

Pablo Barry
Signature

Jan 26, 1998
Date

Pablo Barry

Chief Financial Officer
Title

(201) 324-0078
Telephone No.

**** APPENDIX D ****

FLORIDA TELEPHONE EXCHANGES

AND

EAS ROUTES

Describe the service area in which you hold yourself out to provide service by telephone company exchange. If all services listed in your tariff are not offered at all locations, so indicate.

In an effort to assist you, attached is a list of major exchanges in Florida showing the small exchanges with which each has extended area service (EAS).

*** See Page 17 for comment.

**** FLORIDA EAS FOR MAJOR EXCHANGES ****

<u>Extended Service Area</u>	<u>with</u>	<u>These Exchanges</u>
PENSACOLA:		Cantonment, Gulf Breeze Pace, Milton Holley-Navarre.
PANAMA CITY:		Lynn Haven, Panama City Beach, Youngstown-Fountain and Tyndall AFB.
TALLAHASSEE:		Crawfordville, Havana, Monticello, Panacea, Sopchoppy and St. Marks.
JACKSONVILLE:		Baldwin, Ft. George, Jacksonville Beach, Callahan, Maxville, Middleburg Orange Park, Ponte Vedra and Julington.
GAINESVILLE:		Alachua, Archer, Brooker, Hawthorne, High Springs, Melrose, Micanopy, Newberry and Waldo.
OCALA:		Belleview, Citra, Dunnellon,

FORM PSC/CMU 31 (11/95)

Required by Commission Rule Nos. 25-24.471, 25-24.473, and 25-24.480(2).

Forest Lady Lake (B21),
McIntosh, Oklawaha,
Orange Springs, Salt Springs and
Silver Springs Shores.

DAYTONA BEACH:

New Smyrna Beach.

TAMPA:

Central	None
East	Plant City
North	Zephyrhills
South	Palmetto
West	Clearwater

CLEARWATER:

St. Petersburg, Tampa-West and
Tarpon Springs.

ST. PETERSBURG:

Clearwater.

LAKELAND:

Bartow, Mulberry, Plant City,
Polk City and Winter Haven.

ORLANDO:

Apopka, East Orange, Lake Buena
Vista, Oviedo, Windermere,
Winter Garden,
Winter Park, Montverde, Reedy
Creek, and Oviedo-Winter
Springs.

WINTER PARK:

Apopka, East Orange, Lake Buena Vista,
Orlando, Oviedo, Sanford, Windermere,
Winter Garden, Oviedo-Winter Springs
Reedy Creek, Geneva and Montverde.

TITUSVILLE:

Cocoa and Cocoa Beach.

COCOA:

Cocoa Beach, Eau Gallie,
Melbourne and Titusville.

MELBOURNE:

Cocoa, Cocoa Beach, Eau Gallie
and Sebastian.

SARASOTA:

Bradenton, Myakka and Venice.

FT. MYERS:

Cape Coral, Ft. Myers Beach, North Cape
Coral, North Ft. Myers, Pine Island, Lehigh
Acres and Sanibel-Captiva Islands.

NAPLES:

Marco Island and North Naples.

WEST PALM BEACH:

Boynton Beach and Jupiter.

FORM PSC/CMU 31 (11/95)

Required by Commission Rule Nos. 25-24.471, 25-24.473, and 25-
24.480(2).

POMPANO BEACH:

Boca Raton, Coral Springs,
Deerfield Beach and Ft.
Lauderdale.

FT. LAUDERDALE:

Coral Springs, Deerfield Beach,
Hollywood and Pompano Beach.

HOLLYWOOD:

Ft. Lauderdale and North Dade.

NORTH DADE:

Hollywood, Miami and Perrine.

MIAMI:

Homestead, North Dade and
Perrine

***TRICOM USA, Inc. provides prepaid calling card service in all Florida exchanges listed in Appendix D of the Application Form for Authority to Provide Interexchange Telecommunication Service Within the State of Florida.

**** APPENDIX E ****

**** GLOSSARY ****

ACCESS CODE: The term denotes a uniform four or seven digit code assigned to an individual IXC. The five digit code has the form 10XXX and the seven digit code has the form 950-XXXX.

BYPASS: Transmission facilities that go direct from the local exchange end user to an IXC point of presence, thus bypassing the local exchange company.

CARRIERS CARRIER: An IXC that provides telecommunications service, mainly bulk transmission service, to other IXC only.

CENTRAL OFFICE: A local operating unit by means of which connections are established between subscribers' lines and trunk or toll lines to other central offices within the same exchange or other exchanges. Each three (3) digit central office code (NXX) used shall be considered a separate central office unit.

CENTRAL OFFICE CODE: The term denotes the first three digits (NXX) of the seven (7) digit telephone number assigned to a customer's telephone exchange service.

COMMISSION: The Florida Public Service Commission.

COMPANY, TELEPHONE COMPANY, UTILITY: These terms may be used interchangeably herein and shall mean any person, firm, partnership or corporation engaged in the business of furnishing communication service to the public under the jurisdiction of the Commission.

DEDICATED FACILITY: The term denotes a transmission circuit which is permanently for the exclusive use of a customer or a pair of customers.

END USER: The term denotes any individual, partnership, association, corporation, governmental agency or any other entity which (A) obtains a common line, uses a pay telephone or obtains interstate service arrangements in the operating territory of the company or (B) subscribes to interstate services provided by an IXC or uses the services of the IXC when the IXC provides interstate service for its own use.

EQUAL ACCESS EXCHANGE AREAS: EAEA means a geographic area, configured based on 1987 planned toll center/access tandem areas, in which local exchange companies are responsible for providing equal access to both carriers and customers of carriers in the most economically efficient manner.

EXCHANGE: The entire telephone plant and facilities used in providing telephone service to subscribers located in an exchange area. An exchange may include more than one central office unit.

EXCHANGE (SERVICE) AREA: The territory, including the base rate suburban and rural areas served by an exchange, within which local telephone service is furnished at the exchange rates applicable within that area.

EXTENDED AREA SERVICE: A type of telephone service furnished under tariff provision whereby subscribers of a given exchange or area may complete calls to, and receive messages from, one or more other contiguous exchanges without toll charges, or complete calls to one or more other exchanges without toll message charges.

FACILITIES BASED: An IXC that has its own transmission and/or switching equipment or other elements of equipment and does not rely on others to provide this service.

FOREIGN EXCHANGE SERVICES: A classification of exchange service furnished under tariff provisions whereby a subscriber may be provided telephone service from an exchange other than the one from which he would normally be served.

FEATURE GROUPS: General categories of unbundled tariffs to stipulate related services.

Feature Group A: Line side connections presently serving specialized common carriers.

Feature Group B: Trunk side connections without equal digit or code dialing.

Feature Group C: Trunk side connections presently serving AT&T-C.

Feature Group D: Equal trunk access with subscription.

INTEREXCHANGE COMPANY: means any telephone company, as defined in Section 364.02(4), F.S. (excluding Payphone Providers), which provides telecommunication service between exchange areas as those areas are described in the approved tariffs of individual local exchange companies.

INTER-OFFICE CALL: A telephone call originating in one central office unit or entity but terminating in another central office unit or entity both of which are in the same designated exchange area.

INTRA-OFFICE CALL: A telephone call originating and terminating within the same central office unit or entity.

INTRASTATE COMMUNICATIONS: The term denotes any communications in Florida subject to oversight by the Florida Public Service Commission as provided by the laws of the State.

INTRA-STATE TOLL MESSAGE: Those toll messages which originate and terminate within the same state.

LOCAL ACCESS AND TRANSPORT AREA: LATA means the geographic area established for the administration of communications service. It encompasses designated exchanges, which are grouped to serve common social, economic and other purposes.

LOCAL EXCHANGE COMPANY (LEC): Means any telephone company, as defined in Section 364.02(4), F.S., which, in addition to any other telephonic communication service, provides telecommunication service within exchange areas as those areas are described in the approved tariffs of the telephone company.

OPTIONAL CALLING PLAN: An optional service furnished under tariff provisions which recognizes a need of some subscribers for extended area calling without imposing the cost on the entire body of subscribers.

900 SERVICE: A service similar to 800 service, except this service is charged back to the customer based on first minute plus additional minute usage.

PIN NUMBER: A group of numbers used by a company to identify their customers.

PAY TELEPHONE SERVICE COMPANY: Means any telephone company, other than a Local Exchange Company, which provides pay telephone service as defined in Section 364.335(4), F.S.

POINT OF PRESENCE (POP): Bell-coined term which designates the

FORM PSC/CMU 31 (11/95)

Required by Commission Rule Nos. 25-24.471, 25-24.473, and 25-24.480(2).

actual (physical) location of an IXC's facility. Replaces some applications of the term "demarcation point."

PRIMARY SERVICE: Individual line service or party line service.

RESELLER: An IXC that does not have certain facilities but purchases telecommunications service from an IXC and then resells that service to others.

STATION: A telephone instrument consisting of a transmitter, receiver, and associated apparatus so connected as to permit sending and/or receiving telephone messages.

SUBSCRIBER, CUSTOMER: These terms may be used interchangeably herein and shall mean any person, firm, partnership, corporation, municipality, cooperative organization, or governmental agency supplied with communication service by a telephone company.

SUBSCRIBER LINE: The circuit or channel used to connect the subscriber station with the central office equipment.

SWITCHING CENTER: Location at which telephone traffic, either local or toll, is switched or connected from one circuit or line to another. A local switching center may be comprised of several central office units.

TRUNK: A communication channel between central office units or entities, or private branch exchanges.

ATTACHMENTS:

- A - CERTIFICATE TRANSFER STATEMENT**
- B - CUSTOMER DEPOSITS AND ADVANCE PAYMENTS**
- C - INTRASTATE NETWORK**
- D - FLORIDA TELEPHONE EXCHANGES and EAS ROUTES**
- E - GLOSSARY**



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State

September 8, 1997

CSC

Qualification documents for TRICOM USA, INC. were filed on September 8, 1997 and assigned document number F97000004678. Please refer to this number whenever corresponding with this office.

Your corporation is now qualified and authorized to transact business in Florida as of the file date.

A corporation annual report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number will be required before this report can be filed. If you do not already have an FEI number, please apply NOW with the Internal Revenue by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the corporate address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please telephone (850) 487-6091, the Foreign Qualification/Tax Lien Section.

Michael Mays
Document Specialist
Division of Corporations

Letter Number: 297A00044633

Account number: 072100000032

Account charged: 70.00

**APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO
TRANSACTION BUSINESS IN FLORIDA**

**IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS
SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACTION BUSINESS IN THE
STATE OF FLORIDA:**

1. TRICOM USA, INC.
(Name of corporation: must include the word "INCORPORATED", "COMPANY", "CORPORATION" or words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of a natural person or partnership if not so contained in the name at present.)
2. Delaware 3. 13-3927530
(State or country under the law of which it is incorporated) (FEI number, if applicable)
4. January 15, 1992 5. Perpetual
(Date of Incorporation) (Duration: Year corp. will cease to exist or "perpetual")
6. upon qualification
(Date first transacted business in Florida. (See sections 607.1501, 607.1502, and 817.155, F.S.))
7. 1 Exchange Place, Jersey City, NJ 07302
(Current mailing address)
8. Telecommunications services.
(Purpose(s) of corporation authorized in home state or country to be carried out in the state of Florida)
9. Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box **NOT** acceptable)
Name: Corporation Service Company
Office Address: 1201 Hays Street
Tallahassee, Florida, 32301
(Zip Code)
10. Registered agent's acceptance:
Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.
Corporation Service Company
By: _____
(Registered agent's signature)

11. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

12. Names and addresses of officers and/or directors: (Street address ONLY- P.O. Box NOT acceptable)

A. DIRECTORS (Street address only- P.O. Box NOT acceptable)

Chairman: see attached list

Address: _____

Vice Chairman: _____

Address: _____

Director: _____

Address: _____

Director: _____

Address: _____

B. OFFICERS (Street address only- P.O. Box NOT acceptable)

President: _____

Address: _____

Vice President: _____

Address: _____

Secretary: _____

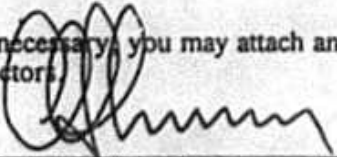
Address: _____

Treasurer: _____

Address: _____

97 SEP -8 7:12:26
SECRETARY OF STATE

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors.

13.  _____
(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application.)

14. Carl Carlson, Vice President
(Typed or printed name and capacity of person signing application)

TRICOM USA, Inc.
Directors and Officers

Directors

Manuel Arturo Pellerano Peña
Chairman of the Board of Directors and Director
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic

Héctor Castro Noboa
Director
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic

Marcos J. Trancoso Mojía
Director
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic

Juan Felipe Mendoza
Director
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic

Richard Gasink
Director
425 Martingale Road
Schaumburg, Illinois 60173

Fernando Amandi
Director
4424 North Federal Highway, Suite 462
Boca Raton, Florida 33431

Christian Vandendriessche
Director
4424 North Federal Highway, Suite 462
Boca Raton, Florida 33431

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FILED
SECRETARY OF STATE

Officers

Manuel Arturo Pellerano Peña
President
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic

Carl Carlson
Senior Vice President
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic

Marcos J. Trancoso Mojia
Secretary and Executive Vice President
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic

Carlos Vargas
First Vice President, Administration and Finance
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic

Ramon Tarrago
Second Vice President, International Relations
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic

Pablo Barry
Second Vice President, Finance
One Exchange Place
Jersey City, New Jersey 07302

97 SEP -9 PM 12:26

FILED
RECEIVED
SEP 9 1997

DESIGNATION OF REGISTERED AGENT AND REGISTERED OFFICE FOR ALIEN BUSINESS ORGANIZATION OR FOREIGN CORPORATION

PURSUANT TO SECTION 607.0505, FLORIDA STATUTES, THE UNDERSIGNED ALIEN BUSINESS ORGANIZATION OR FOREIGN CORPORATION SUBMITS THE FOLLOWING STATEMENT IN ORDER TO DESIGNATE ITS REGISTERED AGENT AND REGISTERED OFFICE IN THE STATE OF FLORIDA:

1. TRICOM USA, INC.
(Name of alien business organization or foreign corporation)

2. Delaware 3. _____
(State or country under which entity is organized) (FEID) Number, if applicable

4. 1 Exchange Place, NJ 07302
(Principal office address)

5. Name and Florida street of registered agent.

Corporation Service Company

1201 Hays Street

Tallahassee, Florida 32301

6. The street address of the registered office and the street address of the business office of the registered agent are identical.

7. 
(Signature of chairman, vice chairman, or officer)

8. Carl Carlson, Vice President
(Name and capacity of person signing in number 7 above)

9. Signature of registered agent:

I hereby accept the appointment as registered agent. I am familiar with and accept the obligations of section 607.0505, Florida Statutes.

Corporation Service Company

By: _____ (Date)
(Registered agent accepting appointment)

THE FILING OF THIS ALIEN BUSINESS ORGANIZATION FORM WITH THE FLORIDA DEPARTMENT OF STATE DOES NOT AUTHORIZE THE ABOVE REFERENCED ENTITY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA.

FILING FEE \$35

FILED
SECRETARY OF STATE
97 SEP -9 11:26

TRICOM USA, INC.**Florida Tariff No. 1
Original Sheet 1****TITLE SHEET****FLORIDA TELECOMMUNICATIONS TARIFF**

This Tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by TRICOM USA, Inc., with principle offices at One Exchange Place, Jersey City, New Jersey, 07302. This Tariff applies for services furnished within the state of Florida. This Tariff is on file with the Florida Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

Issued: January, 28 1998**Effective: _____**

**Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302**

CHECK SHEET

The sheets of this Tariff are effective as of the date shown at the bottom of the respective sheets(s). Original and revised sheets as named below comprise all changes from the original Tariff and are currently in effect as of the date on the bottom of this page.

<u>SHEET</u>	<u>REVISION</u>	<u>SHEET</u>	<u>REVISION</u>
1	Original	18	Original
2	Original	19	Original
3	Original	20	Original
4	Original	21	Original
5	Original	22	Original
6	Original	23	Original
7	Original		
8	Original		
9	Original		
10	Original		
11	Original		
12	Original		
13	Original		
14	Original		
15	Original		
16	Original		
17	Original		

Issued: January, 28 1998**Effective: _____**

**Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302**

TABLE OF CONTENTS

Title Sheet 1

Check Sheet 2

Table of Contents 3

Symbols Sheet 4

Tariff Format Sheets 5-6

Section 1 - Technical Terms and Abbreviations 7-9

Section 2 - Rules and Regulations 10-17

Section 3 - Description of Service 18-22

Section 4 - Rates 22-23

Issued: January, 28 1998

Effective: _____

**Issued by: Pablo Barry,
Chief Financial Officer
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One Exchange Place
Jersey City, New Jersey 07302**

SYMBOLS SHEET

The following are the only symbols used for the purposes indicated below:

- D- Delete Or Discontinue
- I- Change Resulting In An Increase to A Customer's Bill
- M- Moved from Another Tariff Location
- N- New
- R- Change Resulting In A Reduction to A Customer's Bill
- T- Change In Text or Regulation But No Change In Rate or Charge

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
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One Exchange Place
Jersey City, New Jersey 07302

TARIFF FORMAT

- A. **Sheet Numbering** - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the Tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. **Sheet Revision Number** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the FPSC. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the FPSC follows in their Tariff approval process, the most current sheet number on file with the FPSC is not always the Tariff page in effect. Consult the check sheet for the sheet currently in effect.
- C. **Paragraphing Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

2.1
2.1.1.
2.1.1.A.
2.1.1.A.1.
2.1.1.A.1.(a).
2.1.1.A.1.(a).I.
2.1.1.A.1.(a).I.(i).
2.1.1.A.1.(a).I.(i).(1).

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

TARIFF FORMAT

- D. **Check Sheets** - When a Tariff filing is made with the FPSC, an updated check sheet accompanies the Tariff filing. The check sheet lists the sheets contained in the Tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on the check sheet if these are the only changes made to it (*i.e.*, the format, etc. remains the same, just revised levels on some pages). The Tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the FPSC.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
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One Exchange Place
Jersey City, New Jersey 07302

SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a Customer's location to Company's location or switching center.

Account Code - A numerical code, one or more of which are available to a Customer to enable him/her, in conjunction with a Personal Identification Number (PIN), to access the Company's service and which are used by the Company both to prevent unauthorized access to its services and to identify the Customer for billing purposes.

Authorized User - The term "Authorized User" denotes a person, firm or corporation who is authorized to utilize the Company's network.

Called Station - The terminating point of a call (*i.e.*, the called number).

Calling Station - The originating point of call (*i.e.*, the calling number).

Common Company - An authorized company or entity providing telecommunications services to the public.

Company - TRICOM USA, Inc.

Customer - Any person, firm, partnership, corporation, or other entity furnished telecommunications services under the provisions and regulations of this Tariff.

Day - From 8:00 AM up to but not including 5:00 PM local time Sunday through Friday.

Evening - From 5:00 PM up to but not including 11:00 PM local time Sunday through Friday.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (Cont'd)

FPSC - Florida Public Services Commission.

Holiday - TRICOM USA's recognized Holidays are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day.

Incomplete Call - Any call where voice transmission between the calling and the called station is not established (*i.e.*, busy, no answer, etc.).

Interruption - The inability to complete calls due to equipment malfunctions or human errors. Interruption shall not include, and no allowance shall be given for service difficulties such as slow dial tone, circuits, busy or other network and/or switching capacity shortages. Nor shall Interruption include the failure of any service or facilities provided by a common carrier or other entity other than the Company. Any Interruption allowance provided within this Tariff by Company shall not apply where service is interrupted by the negligence or willful act of the Customer, or where the Company, pursuant to the terms of this Tariff, terminates service because of non-payment of bills, unlawful or improper use of Company's facilities or service, or any other reason covered by this Tariff or by applicable law.

Measured Charge - A charge assessed on a per minute basis in calculating a portion of the charges due for a completed interexchange call.

Night/Weekend - From 11:00 PM up to but not including 8:00 AM Sunday through Friday.

Personal Identification Number (PIN) - A numerical code, one or more of which are available to a Customer to enable him/her, in conjunction with an Account Code, to access the Company's service and which are used by the Company both to prevent unauthorized access to its services and to identify the Customer for billing purposes.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 1. TECHNICAL TERMS AND ABBREVIATIONS (Cont'd)

Prepaid Calling Card or Card - A Card issued by the Company for which the charges applicable to a call placed using the Card are decremented from the amount preprogrammed on the Card at the time of the use.

Telecommunications - The transmission of voice communicators or, subject to the transmission capabilities of the service, the transmission of data, facsimile, signaling, metering, or other similar communications.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 2. RULES AND REGULATIONS

2.1 Company Undertaking

The Company provides Prepaid Calling Card service to customers for their direct transmission of voice, data, and other types of telecommunications.

Communications originate when the customer accesses the network by dialing the number set forth on the Prepaid Calling Card(s).

The services are provided for the period set forth on the individual Prepaid Calling Card. Services can be renewed by the customer as set forth in this Tariff.

2.2 Limitations on Service

Service is offered subject to the availability of the necessary facilities and/or equipment and subject to the provisions of this Tariff.

2.2.1. Company's services may be used for any lawful purpose consistent with this Tariff with applicable laws and regulations, and with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services.

2.2.2. The use of Company's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 2. RULES AND REGULATIONS (Cont'd)

2.2. Limitations (Cont'd)

2.2.3. The Company reserves the right to discontinue service when necessitated by conditions beyond its control, or when the Customer is using the service in violation of statute, rule, regulation, or other provision of law or the provisions of this Tariff or if Customer engages in any fraudulent use of Company's service.

2.2.4. The Company reserves the right to refuse service to Customers due to insufficient or invalid billing information.

2.2.5. Company does not transmit messages pursuant to this Tariff, but offers the use of facilities when available, and will not be liable for errors in transmission nor for failure to establish connections.

2.2.6. Company's services may be cancelled for non-payment of bill charges or for other violations of this Tariff.

2.2.7. Reserved For Future Use.

2.3. Liabilities of The Company

2.3.1. Due to the unavailability of errors incident to the services and to the use of the facilities furnished by the Company or connecting carriers, the services and facilities furnished by the Company and connecting carriers are subject to the terms, conditions and limitations set forth herein.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 2. RULES AND REGULATIONS (Cont'd)

- 2.3.2. The Company's liability for damages arising out of mistakes, omissions, interruptions, delays, errors or defects in transmission occurring in the course of furnishing service, channels or other facilities will in no event exceed the lesser of:
- (a) an amount equivalent to the proportionate charge to the Customer or Authorized User for the period of service during which such mistakes, omissions, interruptions, delays, errors or defects in the transmission occur; or
 - (b) the amount paid by the Customer or Authorized User for those minutes on a Prepaid Calling Card which Customer or Authorized User is unable to use.
- 2.3.3. In no event will Company be responsible for consequential, special, indirect, incidental, or exemplary damages or lost profits suffered by a Customer or Authorized User as a result of interrupted or unsatisfactory service.
- 2.3.4. Company is not liable for any act or omission of any other company or companies furnishing a portion of the service. No agents or employees of other companies shall be deemed to be agents or employees of Company.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 2. RULES AND REGULATIONS (Cont'd)

2.3. Liabilities of the Company (Cont'd)

2.3.5. Company shall be excused from performance under this Tariff to the extent that Company is prevented from performing any service pursuant hereto, in whole or in part, as a result of delays caused by the Customer, Authorized User or an Act of God, floods or other catastrophe, war, civil disturbance, court order, labor dispute, third party nonperformance (including the failure of performance for reasons beyond the control of common carriers without limitation, interexchange carriers, local carriers, suppliers, and subcontractors), any law, order, regulation, or other action of any governing authority or agency thereof, or other cause beyond its reasonable control, including failures or fluctuations and such nonperformance shall not be deemed a violation of this Tariff or grounds for refund or other liability. The parties retain all rights of recourse against any third parties for any failures which may create a force majeure condition.

2.3.6. Company shall not be liable for any unlawful or unauthorized use of Company's facilities and service.

2.3.7. Reserved For Future Use.

2.4 Responsibilities of the Customer

2.4.1. The Customer shall be responsible for payment of all applicable charges for services provided by the Company and billed to the Customer's Account and/or Account Code(s), even where those calls are originated by fraudulent means.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 2. RULES AND REGULATIONS (Cont'd)

2.4 Responsibilities of the Customer (Cont'd)

2.4.2. Customer shall indemnify and hold harmless Company against:

- A. Claims for libel, slander or infringement of copyright arising out of the material, data, information or other content transmitted over Company-furnished channels or facilities;
- B. Patent infringement claims arising from combining or connecting Company-furnished channels with apparatus and systems of the Customer; and
- C. All other claims arising out of any act or omission of the Customer in connection with any service provided by Company.

2.4.3. The Customer shall be liable for:

- A. Reimbursing the Company for damages to facilities or equipment caused by the negligence or willful acts of the Customer; and
- B. Payment for all Company service charges incurred through usage or direct action on the part of the Customer.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 2. RULES AND REGULATIONS (Cont'd)

2.4 Responsibilities of the Customer (Cont'd)

- 2.4.4. The Customer shall ensure that its equipment and/or system improperly interfaced with Company services, that the signals emitted to access and use Company's service are of the proper mode, bandwidth, power, and signal level for the intended use of the Customer and in compliance with the criteria set forth in this Tariff and that the signals do not damage equipment, injure personnel, or degrade service to other Customers.

2.5. Cancellation or Interruption of Services

- 2.5.1. Without incurring liability, Company may discontinue services to a Customer or may withhold the provision or ordered or contracted services:
- A. For non-payment of any sum due Company.
 - B. For violation of any of the provisions of this Tariff,
 - C. For violation of any law, rule, regulation or policy of any governing authority having jurisdiction over Company's services, or
 - D. By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting Company from furnishing its services.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 2. RULES AND REGULATIONS (Cont'd)

2.5. Cancellation or Interruption of Services (Cont'd)

- 2.5.2. The grounds set forth in Section 2.5.A. shall not be construed as limiting Company from discontinuing or withholding services for any other valid reason.
- 2.5.3. Without incurring liability, Company may interrupt the provision of services at any time in order to perform tests and inspections.
- 2.5.4. Service may be discontinued by Company, without notice to the Customer, by blocking traffic to certain countries, cities, or NXX exchanges, or by blocking calls using certain Customer authorization codes, when Company deems it necessary to take such action to prevent unlawful use of its service. Company will restore service as soon as it can be provided without undue risk, and will, upon request by the Customer affected, assist in a new authorization code to replace the one that has been deactivated.
- 2.5.5. Reserved For Future Use.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 2. RULES AND REGULATIONS (Cont'd)

2.7 Deposits

Company does not require a deposit from the Customer. Company requires prepayment by Customer.

2.8 Promotions

Company may from time to time offer promotional services with the approval of the FPSC via a Tariff filing. See Section 4 for Rates and Charges.

2.9 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

2.10 Reserved for Future Use.

2.11 Reserved for Future Use.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 3. DESCRIPTION OF SERVICES**3.1 Timing of Calls****3.1.1 When Billing Charges Begin and Terminate for Phone Calls**

The Customer's long distance usage charge is based on the actual usage of TRICOM USA's network. Usage begins when the called party picks up the receiver, (i.e. When two way communication, often referred to as "conversation time" is possible.). When the called party picks up is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. A call is terminated when the calling or billing party hangs up.

3.1.2. Billing Increments

Unless otherwise specified in this Tariff, the minimum call duration for billing purposes is 1 minute for a connected call. Calls beyond 1 minute are billed in 1 minute increments.

3.1.3. Uncompleted Calls

There shall be no charge for uncompleted calls.

3.2 Billing of Calls

Customer must purchase a Prepaid Calling Card in advance from reseller of Prepaid Calling Cards.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 3. DESCRIPTION OF SERVICES (Cont'd)**3.3 Calculation of Distance**

As a provider of Prepaid Calling Cards, the Company's rates are a flat rate that is not mileage sensitive. The following formula is recommended by the Commission in the event that rates are based on distance.

Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call.

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate centers involved. The Company uses the rate centers that are produced by Bell Communications Research in the NPA-NXX V & H Coordinates Tape and Bell's NECA Tariff No. 4.

FORMULA:

The square root of:
$$\frac{(V1 - VR2)^2 + (H1 - H2)^2}{10}$$

3.4 Minimum Call Completion Rate

A Customer can expect a call completion rate (number of calls/number of calls attempted) of not less than 90% during peak use periods.

3.5 Payment of Calls

Customer will pay for calls in advance by purchasing a Prepaid Calling Card from Company.

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Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
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One Exchange Place
Jersey City, New Jersey 07302

SECTION 3. DESCRIPTION OF SERVICES (Cont'd)

3.6. Service Offerings

General

- 3.6.1. **TRICOM USA Prepaid Calling Cards.** TRICOM USA, Inc.'s Prepaid Calling Card Service provides an outbound voice grade communications service for calls charged to the Company's Prepaid Calling Card via a Company-provided 800 number. Service will be available twenty-four hours a day, seven days a week from Dual Tone Multi-Frequency Phones. Cards will be offered on a first-come, first served basis.
- 3.6.2. This service permits use of TRICOM USA Prepaid Calling Cards for placing long distance calls. Customers may purchase TRICOM USA Prepaid Calling Cards at a variety of retail outlets or through other distribution channels. TRICOM Prepaid Calling Cards are available in \$5, \$10, \$20 denominations which are inclusive of all taxes. The prices apply 24 hours per day, 7 days a week.

The value of the telecommunications service (in units or dollars) will be indicated on the Card and included in the Company's Tariff.

Credit allowances for failure of service will be granted in accordance with the terms set forth in this Tariff.

The Prepaid Calling Cards will be sold in various dollar denominations. Cards are not rechargeable. Cards are not refundable.

Issued: January, 23 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 3. DESCRIPTION OF SERVICES (Cont'd)**3.6.3. Reserved For Future Use**

- 3.6.4. Depletion All calls must be charged against a Company Prepaid Calling Card with a valid Account Code and PIN and that has a sufficient available balance. An audio tone will occur when the balance is about to be depleted. Such tone will occur one minute, forty-five seconds, thirty seconds, and fifteen seconds before the Card expires. Calls in progress will be terminated if the balance on the Company Prepaid Calling Card is insufficient to continue the call. A Customer can determine the available balance on a Card by calling a Company-provided customer service 800 number.

When a Customer experiences technical difficulties making their calls, Customer can call an 800 customer number for assistance.

- 3.6.5. Prepaid Calling Cards are non-refundable and will expire, as specified on the Card, 180 days after first use, or six (6) months from the date of first use, unless a different term is specifically requested by the customer.

3.6.6. Exclusions

The following types of calls may not be completed with the Company's Prepaid Calling Card:

- Calls to 500 or similar prefix numbers
- Calls to 700 or similar prefix numbers
- Calls to 800 or similar prefix numbers (except calls to TRICOM USA's customer service for Prepaid Calling Cards)
- Calls to 900 or similar prefix numbers
- Directory Assistance calls
- Calls Requiring Operator Assistance

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
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TRICOM USA, Inc.
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Jersey City, New Jersey 07302

SECTION 3. DESCRIPTION OF SERVICES (Cont'd)**3.6.7. Credit Allowances**

A credit allowance for the Company's Prepaid Calling Card Service is applicable to that portion of a call that is interrupted due to poor transmission, one-way transmission, or involuntary disconnection of the call, subject to exceptions for non-liability provided elsewhere in this Tariff. In the event of an interrupted call for which a credit allowance is applicable, the Customer will receive credit equivalent to the dollar amount for one minute to the Called Station of the interrupted call. To receive the proper credit, the Customer must notify the company at the customer service 800 number to be provided by the company.

SECTION 4. RATES AND CHARGES**4.1. Prepaid Calling Card Service**

4.1.1. The following rate only applies to domestic calls. There is a \$.50 surcharge for this service. Billing increments for the initial and additional minutes are one minute.

\$.21

4.1.2. No time of day differential applies.

4.1.5. Each month, beginning thirty days after the first use of Prepaid Calling Card, an administrative fee of twenty five cents will be deducted from the balance remaining on each Card.

4.1.6. The above rate does not include taxes, which will additionally be deducted from the value of the Card each time a call is made.

Issued: January, 28 1998

Effective: _____

Issued by: Pablo Barry,
Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

SECTION 4. RATES AND CHARGES

4.1. Prepaid Calling Card Service (Cont'd)

4.1.7. Rates and charges are subject to change. Rates and charges imposed are those in effect at the time the call is made.

4.2. Special Promotions

Company will, from time to time, offer special promotions to its Customers waiving certain charges. These promotions will be approved by the FPSC with specific starting and ending dates and under no circumstances run for longer than 90 days in any 12 month period.

Issued: January, 28 1998

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Chief Financial Officer
TRICOM USA, Inc.
One Exchange Place
Jersey City, New Jersey 07302

REID & PRIEST LLP

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January 27, 1998

DEPOSIT DATE
D6 97 ⁰⁰ JAN 28 1998

Florida Public Service Commission
Division of Communications
2540 Shumard Oak Boulevard
Capital Circle Office Center
Tallahassee, Florida 32399-850

Re: TRICOM USA INC., Tariff

Dear Sir or Madame:

Accompanying this transmittal is an original of TRICOM USA, Inc.'s Interexchange Service Tariff, as well as six copies. This tariff is sent to you this day for filing in accordance with the FPSC's regulations.

Additionally, an application form for authority to provide interexchange telecommunications service, within the state of Florida, and a check in the amount of two hundred and fifty dollars (\$250.00) are attached to this filing.

Please acknowledge receipt of this transmittal and filing fee by returning a date-stamped copy of the enclosed transmittal letter in the return envelope provided for that purpose.

RECEIVED
PUBLIC
COMMISSION
JAN 28 1998

1472

REID & PRIEST LLP
701 PENNSYLVANIA AVENUE, N.W., SUITE 800
WASHINGTON, DC 20004

THE RIGGS NATIONAL BANK
OF WASHINGTON, DC
WASHINGTON, DC 20074-6758
15-3/540 23

11/26/1997

PAY TO THE ORDER OF Florida Public Service Commission

**250.00

Two Hundred Fifty and 00/100*****

DOLLARS

Security features
included.
Details on back.

REID & PRIEST LLP

MEMO Filing Fee

Leslie C. Ruffalo