

# Kott Enterprises, Inc.

Telecom Tariff Consultants

PO Box 275, Center Lovell, ME 04016  
Tel: (207) 928-2144 Fax: (207) 928-2139

DEPOSIT

DATE Cynthia D. Kott, President  
Alison Kacurov, Administrative Assistant

0000 #

SEP 02 1998

August 20, 1998

Florida Public Service Commission  
Division of Administration  
2540 Shumard Oak Blvd.  
Gunter Building  
Tallahassee, Florida 32399-0850

RE: Comtex Corporation

Dear Sir / Madam:

Enclosed please find an original and six copies of the application , tariff and exhibits for filing on behalf of the above referenced long distance reseller.

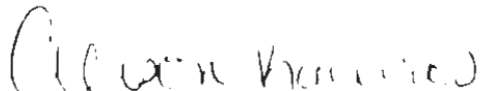
Also enclosed please find a check in the amount of \$250.00 representational of filing fee.

For purposes of verification of receipt I am enclosing a copy of this transmittal letter and a SASE. Please date stamp copy and return to me.

If there is anything further that you may need to complete this filing, please let me know.

I look forward to working with you on behalf of my client.

Respectfully,

  
Alison Kacurov

AK:ak  
encl.

DISPATCH DATE

09578 SEP-28

**\*\* 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**

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**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:

**Florida Public Service Commission  
Division of Communications  
Bureau of Service Evaluation  
2540 Shumard Oak Blvd.  
Gunter Building  
Tallahassee, Florida 32399-0850  
(904) 413-6600**

- 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 Administration  
2540 Shumard Oak Blvd.  
Gunter Building  
Tallahassee, Florida 32399-0850  
(904) 413-6251**

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.

**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.

**COMTEX CORPORATION**

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

**COMTEX CORPORATION**

5. National address (including street name & number, post office box, city, state and zip code).

**2601 Elliott Avenue, Suite 315B  
Seattle, WA 98121**

6. Florida address (including street name & number, post office box, city, state and zip code):

**2601 Elliott Avenue, Suite 315B  
Seattle, WA 98121**

7. Structure of organization;

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

8. If applicant is an individual or partnership, please give name, title and address of sole proprietor or partners.

(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:

**N/A- Applicant is a Washington Corporation**

(1) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. **NO**

(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. **NO**

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: F98000004336

(b) Name and address of the company's Florida registered agent.  
**National Registered Agents, Inc.**  
**526 E. Park Avenue**  
**Tallahassee, FL 32301**

(c) Provide proof of compliance with the fictitious name statute (Chapter 865.09 FS), if applicable.

Fictitious name registration number: \_\_\_\_\_

(d) 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 **NO**
- (2) officer, director, partner of 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. **NO**

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

(a) The application: **Allison Kacurov**  
**Regulatory Consultant**  
**PO Box 275**  
**Center Lovell, ME 04016**  
**(207) 928-2144**

(c) Official Point of contact for the ongoing operations of the company;

**Jason Sidell**  
**(206) 441-1605**

(d) Tariff;

**Allison Kacurov**  
**Regulatory Consultant**  
**PO Box 275**  
**Center Lovell, ME 04016**  
**(207) 928-2144**

(e) Complaints / Inquiries from customers;

**Alan Dombrowski**  
**(800) 722 - 6402**

11. List the states in which the applicant:

- (a) Has operated as an interexchange carrier.  
**NONE**
- (b) Has applications pending to be certified as an interexchange carrier.  
**NONE**
- (c) Is certified 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?

**Services sold through independent agents.**

14. Will your marketing program:

- Pay commission?
- 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.)

**Commissions will be paid per standard industry commission structure to all agents for Comtex Corporation.**

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Residential customers. | <input checked="" type="checkbox"/> Business customers. |
| <input type="checkbox"/> PATS providers.                   | <input type="checkbox"/> PATS station end-users.        |
| <input type="checkbox"/> Hotels & motels.                  | <input type="checkbox"/> Hotel & motel guests.          |
| <input type="checkbox"/> Universities.                     | <input type="checkbox"/> Univ dormitory residents.      |
| <input type="checkbox"/> Other: (specify) _____.           |   |

17. Please provide the following (if 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?  
**Yes, Questions concerning bill will be received directly by company's customer service department.**
- (b) Name and address of the firm who will bill for your service.  
**Direct Bill / LFC agreements where available.**

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 statement, 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. See management backgrounds.**

**C. Technical capability. Company is a reseller – Network provided by underlying carrier.**

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).

**See attached.**

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 800

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

Method of access if FGA

Method of access is FGB

Method of access id 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).

**1 plus the number or 800 plus the number**

22.  Other:

**\*\*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:** Alwan Kacura  
Signature

8/28/98  
Date

For: Comtek Corporation

Regulatory Consultant  
Title

207-928-2144  
Telephone No.

**\*\* APPENDIX A \*\***

I, (TYPED NAME) \_\_\_\_\_, (TITLE)

\_\_\_\_\_, and current holder of certificate number

\_\_\_\_\_, have reviewed this application and join in the petitioner's request

for a transfer of the above-mention certificate.

**UTILITY OFFICIAL:**

Alexander Kravchenko  
Signature

8/25/18  
Date

For:  
Comtex Corporation

Regulatory Consultant  
Title

207 928 2111  
Phone

**\*\* 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 maybe responded to in one of the following ways (applicant please check one):

- ( X )      **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:**

Alexandra K...

Signature

8/28/12

Date

For  
Comtex Corporation

Regulatory Consultant

Title

807 725-3144

Phone

**\*\* APPENDIX C \*\***

**INTRASTATE NETWORK**

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

1) 2)

3) 4)

**N/A- Reseller**

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

1) 2)

3) 4)

**N/A-Reseller**

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

1) 2)

3) 4)

**N/A-Reseller**

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

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).

6. **CURRENT FLORIDA INTRASTATE SERVICES:** Applicant has ( ) or has not ( X ) 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:** C. C. Eason Y. K. K. K. 8-28-18  
Signature Date

For  
Comtek Corporation

Regulatory Consultant 201 928 2144  
Title Phone

**\*\* APPENDIX D \*\***

**FLORIDA TELEPHONE EXCHANGE**

**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).

**\*\* FLORIDA EAS FOR MAJOR EXCHANGE \*\***

<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, Middleburgg, Orange Park, Ponte Verdra and Julington.
GAINESVILLE:		Alachua, Archer, Brooker, Hawthorne, High Springs, Melrose, Micanopy, Newberry and Waldo.
OCALA:		Belleview, Citra, Dunnellon,

	Forest Lady Lake (B21), McIntosh Oklawaha, Orange Springs, Salt Springs and Silver Springs Shores.										
DAYTONA BEACH:	New Smyrna Beach.										
TAMPA:	<table> <tbody> <tr> <td>Central</td> <td>None</td> </tr> <tr> <td>East</td> <td>Plant City</td> </tr> <tr> <td>North</td> <td>Zephyrhills</td> </tr> <tr> <td>South</td> <td>Palmetto</td> </tr> <tr> <td>West</td> <td>Clearwater</td> </tr> </tbody> </table>	Central	None	East	Plant City	North	Zephyrhills	South	Palmetto	West	Clearwater
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.										



<b>NAPLES:</b>	<b>Marco Island and North Naples.</b>
<b>WEST PALM BEACH:</b>	<b>Boynton Beach and Jupiter.</b>
<b>POMPANO BEACH:</b>	<b>Boca Raton, Coral Springs, Deerfield Beach and Ft. Lauderdale.</b>
<b>FT. LAUDERDALE:</b>	<b>Coral Springs, Deerfield Beach, Hollywood and Pompano Beach.</b>
<b>HOLLYWOOD:</b>	<b>Ft. Lauderdale and North Dade.</b>
<b>NORTH DADE:</b>	<b>Hollywood, Miami and Perrine.</b>
<b>MIAMI:</b>	<b>Homestead, North Dade and Perrine.</b>

**\*\* 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 and 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 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, 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 rates 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 subscriptions.

**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 furnished under tariff provision which recognizes a need of some subscribers for extended area calling without imposing the cost on the entire body of subscribers.

**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 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

# EXHIBIT

A

601 641 066

ARTICLES OF INCORPORATION  
OF  
COMTEX CORPORATION

FILED  
STATE OF WASHINGTON  
JUL 5 1995  
BAMBI MURDO  
SECRETARY OF STATE

ARTICLE I  
NAME

The name of this corporation is COMTEX CORPORATION.

ARTICLE II  
PURPOSES

This corporation is organized for the following purposes:

- A. To operate and manage Comtex Corporation.
- B. To engage in any business, trade or activity which may be conducted lawfully by a corporation organized under the Washington Business Corporation Act.

ARTICLE III  
SHARES

This corporation is authorized to issue 1,000,000 shares of common stock and each share shall have no par value. No shareholder shall have any preemptive right to acquire additional shares of this corporation, whether of shares originally authorized or other shares which may subsequently be authorized.

ARTICLE IV  
CUMULATIVE VOTING

At each election for directors, every shareholder entitled to vote at such election shall have the right to vote in person or by proxy, the number of shares owned by the shareholder for as many persons as there are directors to be elected, or to accumulate votes by giving one candidate as many votes as the number of such directors to be elected multiplied by the number of such shareholder's shares shall equal, or by distributing such votes on the same principle among any number of such candidates.

**ARTICLE V  
BYLAWS**

The Board of Directors shall have the power to adopt, amend, or repeal the Bylaws or adopt new Bylaws. Nothing herein shall deny the concurrent power of the shareholders to adopt, alter, amend or repeal bylaws.

**ARTICLE VI  
REGISTERED OFFICE AND AGENT**

The name and address of the initial registered agent of this corporation and the address of its initial registered office are as follows:

Jason Sidell  
1111 East Madison Street, Suite 400  
Seattle, WA 98122

**ARTICLE VII  
DIRECTORS**

A. The number of directors of this corporation shall be determined in the manner specified by the bylaws and may be increased or decreased from time to time in the manner provided therein. The initial board of directors shall consist of two directors and their names and addresses are as follows:

Name	Address
Jason Sidell	1111 East Madison Street Suite 400, Seattle, WA 98122
Alan Dombrowski	1620 Peach Court East, Seattle, WA 98112

B. The term of the initial directors shall be until the first annual meeting of the shareholders or until their successors are elected and qualified, unless removed in accordance with the provisions of the bylaws.

**ARTICLE VIII  
INCORPORATORS**

The name and address of the incorporator is as follows:

Name	Address
Jason Sidell	1111 East Madison Street Suite 400, Seattle, WA 98122



ARTICLE IX  
LIMITATION OF DIRECTORS' LIABILITY

A Director shall have no liability to the corporation or its shareholders for monetary damages for conduct as a director, except for acts or omissions that involve intentional misconduct by the director, or for conduct violating RCW 23B.08.310, or for any transaction from which the director will personally receive a benefit in money, property or services to which the director is not legally entitled. If the Washington Business Corporation Act is hereunder amended to authorize corporate action further eliminating or limiting the personal liability of directors, than the liability of a director shall be eliminated or limited to the full extent permitted by the Washington Business Corporation Act, as so amended. Any repeal or modification of this Article shall not adversely affect any right or protection of a director of the corporation existing at the time of such repeal or modification for or with respect to an act or omission of such director occurring prior to such repeal or modification.

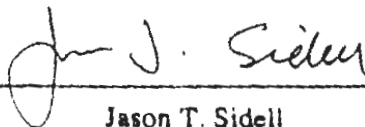
ARTICLE X  
TRANSACTIONS WITH INTERESTED SHAREHOLDERS

This corporation elects to be covered by the provisions of the Washington Business Corporation Act concerning transactions with interested shareholders, as therein defined, whether or not this corporation may at any time have fewer than three hundred (300) holders of record of its shares.

The undersigned persons, of the age of eighteen years or more, as incorporators of this corporation under the Washington Business Corporation Act, adopts these Articles of Incorporation.

Dated: July 3, 1995

Incorporator: \_\_\_\_\_



Jason T. Sidell

**EXHIBIT**

**B**



**FLORIDA DEPARTMENT OF STATE**  
**Sandra B. Mortham**  
Secretary of State

July 30, 1998

**BETH PERRIZO**  
**UNISEARCH, INC.**  
**1295 BANDANA BLVD N., STE 300**  
**ST PAUL, MN 55108**

Qualification documents for COMTEX CORPORATION doing business in Florida as COMTEX COMMUNICATIONS CORPORATION were filed on July 30, 1998 and assigned document number F98000004336. 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: 398A00040019

EXHIBIT

C

## TITLE SHEET

## FLORIDA TELECOMMUNICATIONS TARIFF

This tariff applies to the intrastate resale telecommunication services furnished by Comtex Corporation between one or more points in the State of Florida. This tariff is on file with the Public Service Commission of Florida and copies may be inspected, during normal business hours, at the Company's principal place of business at 2601 Elliott Avenue, Suite 315B, Seattle, WA 98121, Tel: (206) 436-2000.

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Issued: August 28, 1998

Effective Date: \_\_\_\_\_

Issued By:

Jason Sidell, President  
2601 Elliott Avenue, Suite 315B  
Seattle, WA 98121

## CHECK SHEET

All sheets of this tariff are effective a of the date shown at the bottom of the respective sheet(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>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original

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SYMBOLS SHEET

The following symbols shall be used in this tariff for the purpose 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 to rate or charge.

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**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 Numbers** – 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 FLPSC. For example, the 4<sup>th</sup> revised Sheet 14 cancels the 3<sup>rd</sup> revised Sheets 14. Because of various suspension periods, deferrals, etc. the FLPSC follows in its tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. **Paragraph Numbering Sequence** – There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2
  - 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).1
  - 2.1.1.A.1.(a).1.(i)
  - 2.1.1.A.1.(a).1.(i).1
- D. **Check Sheets** - When a tariff filing is made with the FLPSC, 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 this page if these are the only changes made to it (i.e., the format, etc. remain the same, just revised revision 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 FLPSC.

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**SECTION I – TECHNICAL TERMS AND ABBREVIATIONS**

- Accounting Code -** A multi-digit code which enables a customer to allocate long distance charges to its internal accounts.
- COMTEX -** Used throughout tariff to mean Comtex Corporation
- Access Line -** An arrangement which connects the Customer's location to COMTEX switching center.
- Authorized User -** A person, firm, corporation, or any other entity authorized by the Customer to communicate, utilizing the Carrier's service.
- Commission -** The Florida Public Service Commission (FLPSC).
- Company or Carrier -** Comtex Corporation unless otherwise clearly indicated by the context.
- Customer -** The person, firm, corporation or other entity which orders, cancels amends or uses service under this tariff and is responsible for payment of charges and compliance with the Company's tariff.
- IXC -** A long distance telephone company which carries calls between LATAs.
- Long Distance Resale Service -**  
Long Distance Resale Service is a public communications service for hire, which includes providing long distance service to Customers through the resale of leased lines and services provided by multiple other common Carriers.
- User -** The calling party utilizing the services of COMTEX and responsible for the payment of charges, unless that responsibility has been accepted by others, such as in the case of collect, third party and room charge calls.

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**SECTION II – RULES AND REGULATIONS****2.1 Undertaking of COMTEX**

- 2.1.1 COMTEX' services and facilities are furnished for communications originating at specified points within the state of Florida under terms of this tariff. Service is provided twenty-four hours a day, seven days a week.
- 2.1.2 COMTEX is a resale common carrier. COMTEX' services provide intrastate long distance message telephone service to Customers for their direct transmission and reception of voice, data, and other types of communications. COMTEX may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities (such as the local exchange carrier), when authorized by the Customer, to allow connection of a Customer's location to the COMTEX network. The Customer shall be responsible for all charges due for such service arrangement. COMTEX agrees to dutifully abide by all Rules and Regulations as set forth by the FLPSC.
- 2.1.3 The rates and regulations contained in this tariff apply only to the services furnished by COMTEX and do not apply, to the lines facilities, or services provided by a local exchange telephone company or other common carrier for use in accessing the services of COMTEX.

**2.2 Initial Contract Period and Termination of Service by Customer**

- 2.2.1 Contract Periods – The initial contract period for service and facilities is thirty (30) days.

**2.3 Obligation of Customer**

- 2.3.1 The customer will assume responsibility for all usage and service billed.

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**SECTION II – RULES AND REGULATIONS, (CONT'D)****2.4 Limitations**

- 2.4.1 Service is offered subject to the availability of the necessary facilities and equipment, or both facilities and equipment, and subject to the provisions of this tariff.
- 2.4.2 COMTEX reserves the right to discontinue or limit service when necessitated, per Florida Commission Rules and with twenty-four hours notice, by the conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff, or in violation of the law.
- 2.4.3 All facilities and services provided under this tariff are directly or indirectly controlled by COMTEX and the Customer may not transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.4.4 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.
- 2.4.5 Customers reselling or rebilling services must have a certificate of Public Convenience and Necessity as an interexchange carrier from the Commission.

**2.5 Use**

- 2.5.1 Services provided under this tariff may be used for any lawful purpose for which the service is technically suited.

**2.6 Liability of Carrier**

- 2.6.1 Liability of the carrier for mistake, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course of furnishing service or facilities, and not caused by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which the aforementioned faults in transmission occur, unless ordered by the Commission.
- 2.6.2 COMTEX shall be indemnified and held harmless by the customer against:
- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.
  - (B) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by COMTEX.

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SECTION II – RULES AND REGULATIONS (CONT'D)

2.7 Responsibilities of the Customer

- 2.7.1 The Customer is responsible for compliance with the applicable regulations set forth in this tariff.
  
- 2.7.2 The Customer is responsible for placing any necessary orders; for complying with tariff regulations; and for assuring that users comply with tariff regulations. The Customer shall ensure compliance with any applicable laws, regulations, orders or other requirements (as they exist from time to time) of any governmental entity relating to services provided or made available by the Customer to end users.

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**SECTION II – RULES AND REGULATIONS, (CONT'D)****2.8 Restoration of Service**

2.8.1 The use and restoration of service shall be in accordance with the priority system specified in part 64 Subpart D of The Rules and Regulations of the Federal Communications Commission.

**2.9 Discontinuance of Service**

2.9.1 Without incurring liability COMTEX may discontinue services to a Customer or may withhold the provision of ordered or contracted services, subject to the procedures set forth in 2.9.3, under any of the following conditions:

- 2.9.1.A For nonpayment of any sum due COMTEX for more than thirty days after issuance of the bill for the amount due.
- 2.9.1.B In the event that the Customer supplied false or inaccurate information of a material nature in order to obtain service.
- 2.9.1.C For violation of any of the provisions of this tariff.
- 2.9.1.D For the use of foul or profane expressions, the impersonation of another with fraudulent intent, or of any other violation of the Communications Act of 1934, as amended, or of the rules and regulations of the Federal Communications Commission.

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**SECTION II - RULES AND REGULATIONS, (CONT'D)**

- 2.9 Discontinuance of Service, (cont'd)
- 2.9.1.E For violation of any law, rule, regulation or policy of any governing authority having jurisdiction over COMTEX' services, or
- 2.9.1.F By reason of any order of decision of a court, business service commission or federal regulatory body or other governing authority prohibiting COMTEX from furnishing its services.
- 2.9.1.G For the use of telephone service for any other property or purpose than that described in the contract.
- 2.9.2 COMTEX may discontinue service without notice for any of the following reasons:
- 2.9.2.A If a Customer or Customer causes or permits any signals or voltages to be transmitted over COMTEX' network in such a manner as to cause a hazard or to interfere with COMTEX' service to others.
- 2.9.2.B If a Customer or user uses COMTEX' services in a manner to violate the law.
- 2.9.3 Procedures for discontinuance of existing service:
- 2.9.3.A COMTEX will provide the Customer with written notice stating the reason for discontinuance, and will allow the Customer not less than 10 days to remove the cause for discontinuance. In cases of non-payment of charges due, the Customer will be allowed at least five days, excluding Sundays and holidays, to make full payment of all undisputed charges, and in no event will service be discontinued on the day preceding any day on which COMTEX is not prepared to accept payment of the amount due.
- 2.10 Interruption of Service
- 2.10.1 Credit allowance for the interruption of service which is not due to the Company's testing or adjusting, negligence or the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set for in 2.6.1 herein. It shall be the obligation of the customer to notify the Company immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission by the customer within his control, if any furnished by the customer and connected to the Company's facilities.

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**SECTION II – RULES AND REGULATIONS, (CONT'D)****2.10 Interruption of Service, (cont'd)**

- 2.10.2 For purposes of credit computation, every month shall be considered to have 720 hours.
- 2.10.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.10.4 The customer shall be credited for an interruption of two hours or more at the rate of  $1/720^{\text{th}}$  of the monthly charge for the facilities affected for each hour thereof that the interruption continues.

Credit Formula:

$$\text{Credit} = A/720 \times B$$

"A" – outage time in hours

"B" – total monthly charge for affected facility

**2.11 Termination by Customer**

- 2.11.1 Customer may cancel service by phone call or in writing to the Company.

**2.12 Customer's Liability in the Event of Denial or Disconnection of Service**

- 2.12.1 In the event Customer's service is denied or disconnected by the Carrier for any of the reasons stated in section 2.9, Customer shall be liable for all unpaid charges due and owing to Carrier.

**2.13 Reinstitution of Service**

- 2.13.1 If Customer seeks reinstatement of service following disconnection of service by Carrier, Customer shall pay to Carrier prior to the time service is reinstated (1) all accrued and unpaid charges and (2) reconnection fee.

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**SECTION II – RULES AND REGULATIONS, (CONT'D)****2.14 Advanced Payment**

- 2.14.1 The Company will not collect advance payments.
- 2.14.2 The Company will not collect advance deposits.

**2.15 Authorization to Obtain Credit Information**

- 2.15.1 Carrier reserves the right to require all Customers to establish credit-worthiness to the reasonable satisfaction of Carrier. Upon application for service, Customer shall be deemed to have authorized Carrier to obtain such routine credit information and verification as Carrier shall require in accordance with its then existing credit policies. All criteria and methods used in the acquisition and assessment of credit related information shall be consistent and uniform for all applicants or Customers.

**2.16 Description of Payment and Billing Periods**

- 2.16.1 Charges for services are applied on a recurring and non-recurring basis. Service is provided and billed on a monthly basis.
- 2.16.2 Billing will be payable upon receipt and past due 30 days after issuance.
- 2.16.3 Charges are based on actual usage during a month and will be billed monthly in arrears.
- 2.16.4 The Customer is responsible for the payment of ALL charges for service provided to the Customer. This applies to Customers where the provision of service Carrier includes the use of authorization (access) codes. The Customer agrees to pay to Carrier ANY cost incurred as a result of ANY DELEGATION OF AUTHORITY resulting in use of his/her authorization codes.
- 2.16.5 Where a Customer, e.g. an employer, provides the use of authorization codes to his/her employees, or where the Customer, e.g. a family member, provides the use of authorization codes to his/her family relations or friend, guest, etc., the Customer agrees to pay to Carrier ANY cost incurred as a result of these uses of the authorization codes.

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SECTION II – RULES AND REGULATIONS, (CONT'D)

2.17 Deposit

2.17.1 The company will not collect deposits from customers in the State of Florida.

2.18 Taxes

2.18.1 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. In regard to Prepaid Debit Card Service, a tax no higher than 10% will be added for all calls originated from the prepaid calling card. Tax will vary accordingly to state and municipal requirements

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**SECTION II – RULES AND REGULATIONS, (CONT'D)****2.20 Customer Service**

2.20.1 In the event that the customer is experiencing a service problem, the local telephone company will refer the customer to COMTEX. Questions regarding billing can also be directed to COMTEX' Customer Service Department in Radledge, Georgia by dialing their toll free number, (800) 585-0555. Credits to customer accounts will be applied on the next COMTEX bill.

**2.21 Emergency Calls**

2.21.1 Message toll telephone calls, to governmental emergency service agencies as set forth in (a) following, having primary or principal responsibility with respect to the provision of emergency services to persons and property in the area from which the call is made, meeting the definition and criteria of an emergency call as set forth in (b) following, are offered at no charge to customers.

2.21.1.A Governmental fire fighting, State Highway Patrol, police and emergency squad service (as designated by the appropriate governmental agency) qualify as governmental emergency service agencies provided they answer emergency service calls on a personally attended (live) twenty-four (24) hour basis, three hundred sixty-five days a year, including holidays.

2.21.1.B An emergency is an occurrence or set of circumstances in which conditions pose immediate threat to human life and/or property and necessitate that prompt action be taken. An emergency call is an originated call of short duration to a governmental emergency service agency in order to seek assistance for such an emergency

2.21.1.C **Emergency Shortage of Facilities:** The Carrier reserves the right to limit the length of conversations in times of emergency if a shortage of facilities occurs.

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## SECTION III – DESCRIPTION OF SERVICES

3.1 Timing of Calls3.1.1 When billing Charges Begin and End For Phone Calls

The customer's long distance usage charge is based on the actual usage of the Company's network. Usage begins when the called party picks up the receiver, (i.e. when 2 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. When software answer supervision is employed, up to 60 seconds of ringing is allowed before it is billed usage of the network. A call is terminated when the calling or called party hangs up.

3.1.2 Billing Increments

The minimum call duration for billing purposes is thirty seconds for connected call and calls beyond thirty seconds are billed in six second increments. The Customer's monthly charge for services are based upon the total time the Customer actually uses the service. For billing purposes, calls are rounded up to the next full billing increment, six seconds for Residential and Business Service. Minimum call duration time for Residential and Business Service is thirty seconds. 800 Service and Travel Service billing increments are the same as the service associated with and contracted for, Business or Residential Service. Billing increments for Prepaid Debit Card service is one minute.

3.1.3 Per Call Billing Charges

Billing will be rounded up to the nearest penny for each call.

3.1.4 Uncompleted Calls

There shall be no charges for uncompleted calls.

3.2 Calculation of Distance

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

3.2.2 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. COMTEX uses vertical and horizontal coordinates produced by Bell Communications Research in their NPA-NXX V & H coordinates tape and Bell's NECA tariff No. 4.

## 3.2.2.A FORMULA:

$$\sqrt{\frac{(V1 - V2)^2 + (H1 - H2)^2}{10}}$$

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**SECTION III – DESCRIPTION OF SERVICES, (CONT'D)****3.3 Service Area**

3.3.1 The service area of Carrier includes all points in Florida, including all major metropolitan areas.

**3.4 Minimum Call Completion Rate**

3.4.1 Customers can expect a call completion rate of 99% during peak use periods for all Feature Group D Equal Access 1+ services. The call completion rate is calculated as the number of calls completed (including calls completed to a busy line or to a line which remains unanswered by the called party) divided by the number of calls attempted.

**3.5 General Description of Service**

3.5.1 COMTEX resells facilities-based interexchange (IXC) carrier services including, but not limited to, access, switching, transport, termination, Feature Group D and other services for the direct transmission and reception of voice, data, and other types of communications.

3.5.2 Customer's monthly charges for Carrier service are based on the total time Customer actually uses the service.

3.5.3 COMTEX' services are offered to Customers on a monthly basis.

3.5.4 COMTEX' services are offered to Customers twenty-four hours a day.

3.5.5 COMTEX' underlying carriers include, but are not limited to AT&T Communications, Inc., MCI Telecommunications Corporation, US Sprint Communications Company, L.P., Witel, Worldcom and International Telecom.

**3.6 Service Options**

3.6.1 **COMTEX Residential Service:** A one-way multi-point service whereby the subscriber originates and terminates calls via residential telephone lines. Subscribers switch on through Equal Access Dialing procedures.

3.6.2 **COMTEX Business Service:** A one-way multi-point service whereby the user originates and terminates calls via business telephone lines.

3.6.3 **COMTEX Travel Service:** Customers may request from COMTEX a Travel Card for use in accessing the COMTEX network of carrier services when away from business telephones. Customer dials the appropriate carrier access number sequence specified on the Customer's COMTEX Travel Card.

3.6.4 **COMTEX 800 Service:** COMTEX' 800 service is available twenty-four hours a day, seven days a week. Service is provided by COMTEX' underlying carriers. Incoming calls from the COMTEX network terminate at the Customer premises via special access or business line termination.

3.6.5 **Comtex Prepaid Debit Card Service:** This service permits use of a prepaid COMTEX Phone Card for placing long distance calls. Service is provided by COMTEX's underlying carriers. Users may purchase COMTEX Prepaid Phone Cards from distributors and agents. COMTEX Phone Cards are available in various denominations. The lowest denomination is \$5.00. Cards are valid for one year from date of purchase.

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**SECTION III – DESCRIPTION OF SERVICES, (CONT'D)****3.6 Service Options, (cont'd)****3.6.5 Comtex Prepaid Debit Card Service: (cont'd):**

COMTEX's switch tracks the long distance telephone call duration and destination for rating purposes on a real time basis. The total price of each and all calls, including applicable taxes, is deducted automatically, via software programmed interface, from the prepaid balance on the caller's COMTEX Prepaid Phone Card.

A long distance telephone call is placed by (1) dialing an 800 number to obtain access to COMTEX's network. The caller then (2) enters his/her unique calling code number. An automated voice message advises the caller of the dollar amount remaining when each call is initiated and, hearing a dial tone, the customer (3) enters the terminating area code and telephone number. (4) Immediately following, the customer is advised by an automated message how many minutes that particular call may continue. Timing begins when two-way communication is possible, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision.

COMTEX offers universal origination from anywhere in the United States, and termination both domestically and internationally. Availability of termination may be limited by COMTEX's operating authority limits, or by service availability for international direct dialing.

**3.6.6 Directory Assistance: The underlying carrier provides service to COMTEX to offer directory assistance services which the Customer may access by dialing area code plus 555-1212. Customer will be billed for such service by COMTEX.**

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SECTION IV - RATES

4.1 COMTEX Residential Service

4.1.1 Residential Service provides facilities to complete toll calls between two points in Florida. The maximum rates\* are: (All zero minus and zero plus local traffic will be routed to the LEC or ALEC)

	Plan "A"	Plan "B"	Plan "C"	Plan "D"	Plan "E"
Flat Rate	Per Minute - Initial and Additional				
All Times	\$0.2030	\$0.1830	\$0.1620	\$0.1420	\$0.1320

Above rates are rounded and billed in one minute increments following an initial one minute minimum.

4.2 COMTEX Business Service

4.2.1 Business Service provides facilities to complete toll calls between two points in Florida. The maximum rates\* are: (All zero minus and zero plus local traffic will be routed to the LEC or ALEC)

	Plan "A"	Plan "B"	Plan "C"	Plan "D"	Plan "E"
Flat Rate	Per Minute - Initial and Additional				
All Times	\$0.2030	\$0.1830	\$0.1620	\$0.1420	\$0.1320

Above rates are rounded and billed in one minute increments following an initial one minute minimum.

4.2.1.A Accounting Code Charges:  
\$5.00 per month or \$0.20 per month per validated code number, whichever is greater.

\* Volume Usage Discounts

COMTEX Business and Residential Service Plan pricing reflects the following volume usage:

- Plan "A" - Discounted pricing for customers using up to \$500.00 per month.
- Plan "B" - Discounted pricing for customers using \$500.00-\$600.00 per month.
- Plan "C" - Discounted pricing for customers using \$600.00-\$700.00 per month.
- Plan "D" - Discounted pricing for customers using \$700.00-\$800.00 per month.
- Plan "E" - Discounted pricing for customers using over \$800.00 per month.

Issued: August 28, 1998

Effective Date:

Issued By:

Jason Sidell, President  
2601 Elliott Avenue, Suite 315B  
Seattle, WA 98121

## SECTION IV - RATES, (CONT'D)

- 4.3 COMTEX Travel Service  
4.3.1 From origination to termination, the maximum rates are the same as the underlying service contracted for plus (as defined in Sections 4.1 and 4.2). An \$0.85 per call charge will be added to the regulated rates
- 4.4 COMTEX 800 Service  
4.4.1 From origination to termination, the maximum rates are the same as the underlying service contracted for plus (as defined in Sections 4.1 and 4.2).  
A monthly \$20.00 exclusive 800 number charge.
- 4.5 Nonrecurring Charges
- |   |         |
|---|---------|
| 4.5.1 Residential and/or Business Service |         |
| Service Origination:                      | \$50.00 |
| 4.5.2 800 Service                         |         |
| Service Origination:                      | \$50.00 |
| 4.5.3 Travel Service                      |         |
| Service Origination:                      | \$50.00 |
| 4.5.4 Accounting Code Charges             |         |
| Set-up and/or change per line:            | \$20.00 |
- 4.6 Directory Assistance  
4.6.1 There shall be no charge for up to fifty calls per billing cycle from lines or trunks serving individuals with disabilities. The Company shall charge \$0.65 for every call in excess of fifty (50) within a billing cycle.
- 4.7 Discounts for Hearing Impaired Customers  
4.7.1 Intrastate toll message rates for TDD users shall be evening rates for daytime calls and night rates for evening and night time calls.
- 4.8 Telecommunications Relay Service  
4.8.1 For intrastate toll calls received from the relay service, the Company will when billing relay calls discount relay service calls by 50 percent of of the otherwise applicable rate for a voice nonrelay call except that where either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted 60 percent off of the other wise applicable rate for a voice nonrelay call. The above discounts apply only to time-sensitive elements of a charge for the call and shall not apply to per call charges such as a credit card surcharge.
- 4.9 COMTEX Prepaid Debit Card  
5.9.1 Comtex Prepaid Phone Cards are sold in various denominations. The lowest denomination is \$5.00.  
5.9.2 Usage (Flat rate): \$0.25 per minute - 24 hours per day/7 days per week.

Issued: August 28, 1998

Effective Date: \_\_\_\_\_

Jason Sidell, President

Issued By:

2601 Elliott Avenue, Suite 315B  
Seattle, WA 98121



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**SECTION IV - RATES, (CONT'D)****4.9 Payment of Calls**

4.9.1 COMTEX shall be entitled to recover an amount equal to a late payment fee of 1.5 percent per month for the period(s) for which such charges would have been payable.

**4.9.2 Returned Check Charges:**

4.9.2.A If Company receives a check from a Customer in payment for service rendered or for any other reason of indebtedness and which is returned from the bank due to insufficient or uncollected funds, closed account, apparent tampering, missing signature or endorsement, or for any other reason, Company shall apply a service charge after Customer has been forwarded notice of same five days in advance as follows:

Per Returned Check: 5% or fifteen dollars, whichever is greater.

4.9.2.B The charge shall be applied to Customer's monthly billing, in addition to any other charges which may apply under this tariff.

4.9.2.C Payment rendered by check, which is subsequently dishonored shall not constitute payment until such time as repayment is made by valid means.

**4.10 Restoration of Services**

Reconnection fee of \$25.00 per occurrence is charged when service is restored for customers that have been disconnected.

**4.11 Promotional Offerings**

4.11.1 The Company may, from time to time, make promotional offerings to enhance the marketing of its services. These promotions will be approved by the FLPSC with specific starting and ending dates and under no circumstances run for longer than 90 days in any 12 month period.

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Issued: August 28, 1998

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2601 Elliott Avenue, Suite 315B  
Seattle, WA 98121

# EXHIBIT

# D

**Comtex Corporation**  
**Profit and Loss**  
 January through December 1997

Jan - Dec '97

Ordinary Income/Expense	
Income	
Sales	
Retail	97,573.09
Scrap	18,112.00
Wholesale	50,691.93
Sales - Other	67,930.26
Total Sales	<u>234,307.27</u>
Total Income	234,307.27
Cost of Goods Sold	
Cost of Goods Sold	<u>77,136.45</u>
Total COGS	<u>77,136.45</u>
Gross Profit	157,170.82
Expense	
Advertising	48.80
Automobile Expense	6,449.48
Bank Service Charges	48.00
Contract Labor	1,328.50
Dues and Subscriptions	162.95
Equipment Rental	328.77
Freight and Delivery	4,667.98
Garnishment	-200.00
Insurance	
Liability Insurance	1,378.90
Insurance - Other	1,831.00
Total Insurance	<u>3,309.90</u>
Licenses and Permits	134.00
Miscellaneous	38.10
Office Supplies	2,439.55
PAYROLL DRAW	200.00
Payroll Expenses	
Gross Wages	8,847.55
Payroll Expenses - Other	1,185.25
Total Payroll Expenses	<u>8,032.80</u>
Payroll Taxes	
FICA	668.50
FUTA	882.05
Medicare	292.90
Total Payroll Taxes	<u>1,851.45</u>
Postage and Delivery	202.23
Printing and Reproduction	327.90
Professional Development	0.00
Professional Fees	
Accounting	1,100.00
Consulting	8,375.00
Engineering Fees	17,140.87
Legal Fees	7,805.85
Technician Services	2,751.20
Professional Fees - Other	64.92
Total Professional Fees	<u>37,237.84</u>
Rent	9,776.43
Repairs	
Building Repairs	<u>541.87</u>
Total Repairs	641.87
Supplies	
Installation Supplies	<u>21,249.39</u>
Total Supplies	21,249.39

Comtex Corporation  
Profit and Loss  
January through December 1997

	<u>Jan - Dec '97</u>
Switch Payment	20,865.19
Taxes	
Local	<u>53.67</u>
Total Taxes	53.67
Telephone	
Call center	615.00
Telephone - Other	<u>10,692.43</u>
Total Telephone	11,807.43
Travel & Ent	
Meals	350.00
Travel	<u>11,990.21</u>
Total Travel & Ent	12,340.21
Total Expense	<u>142,972.11</u>
Net Ordinary Income	<u>14,198.71</u>
Net Income	<u><u>14,198.71</u></u>

**Comtex Corporation**  
**Balance Sheet**  
As of December 31, 1997

Dec 31, '97

**ASSETS**

**Current Assets**

Checking/Savings  
Seafirst Operating Account 2,637.90

Total Checking/Savings 2,637.90

Accounts Receivable  
Accounts Receivable 100,325.89

Total Accounts Receivable 100,325.89

**Other Current Assets**

Deposit with Telephone Co. 5,115.20

Inventory 1,050.00

Prepaid Rent 3,258.00

Total Other Current Assets 9,423.20

Total Current Assets 112,386.99

**Fixed Assets**

Computers 2,488.00

Equipment Purchase 30,112.80

Fixed Assets 281.58

Total Fixed Assets 32,682.38

**TOTAL ASSETS** 145,249.38

**LIABILITIES & EQUITY**

**Liabilities**

**Current Liabilities**

Accounts Payable  
Accounts Payable 72,698.73

Total Accounts Payable 72,698.73

**Other Current Liabilities**

Sales Tax Payable 198.63

Total Other Current Liabilities 198.63

Total Current Liabilities 73,097.36

**Long Term Liabilities**

Loan Payable 41,508.40

Total Long Term Liabilities 41,508.40

Total Liabilities 114,603.76

**Equity**

Opening Bal Equity -403.05

Retained Earnings 18,849.93

Net Income 14,196.71

Total Equity 30,645.59

**TOTAL LIABILITIES & EQUITY** 145,249.38

**EXHIBIT**

**E**

**COMTEX : MANAGEMENT BACKGROUNDS****JASON SIDELL, PRESIDENT**

- 1995-Present: *President, Comtex Corporation*
- 1993-95 *General Manager, US Telco: Managed all operations of 400 port private local Exchange (RMTS) and cable television company serving residential and business subscribers*
- 1989-1992 *Project Manager, Pacific Bell: Responsible for management of LEC and IXC planning and negotiations coordinated installation of private networks between customer sites.*

**ALAN DOMBROWSKI, CHIEF FINANCIAL OFFICER**

- 1995-Present *CFO, Comtex Corporation*
- 1994-Present *President & Co-Owner, Meridian Partnership: A niche mortgage business buying and selling owner carried real estate receivables. Estimated 1998 volume: twenty million dollars*
- 1986-1994 *President, CFO & Co-Owner, Ballard Computer: Three retail computer locations with annual revenues of forty million dollars, and 160 employees*
- 1997-1985 *President & Co-Owner, Northern Sales Company: Grocery wholesaler with three locations and annual revenues of twelve million dollars*

**PATRICIA McDONOUGH DOMBROWSKI, VP MARKETING**

- 1996-Present *VP Marketing, Comtex Corporation*
- 1994-1996 *VP, Operations, Norfax Software: Directed operations for this company which developed manufacturing software for the ISO9000 environment. Twelve employees, annual revenues four million dollars*
- 1989-92 *Masters of Arts, Communications and Bachelor of Arts, Communications University of Washington*
- 1977-1981 *Marketing Support Representative, IDA: Customer education and implementation of large scale installations in Alaska*

J. BRENT COATS, MIS DEVELOPMENT MANAGER

- 1997-Present      *MIS Development Manager, Comtex Corporation*
- 1996-1997      *System Test Analyst, Pacific Bell:* Analyzed projects, developed test plans, Created test data, and validated results for service order processing component of complex billing system. Environment: IBM 3090, networked WFW workstations, Netware servers. Operating Systems: MVS/ESA, VM/CMS, Windows for Workgroups, Netware. Programming Languages: COBOL II, REXX. Tools: DB2, QMF, DB21, REXX, JCL, TSO, Endeavor, File-Aid.
- 1995-1996      *Instructor, Computers and You:* Instructed beginning IBM computer skills classes. Environment: Windows and DOS workstations networked with UNIX Servers. Operating Systems: PC-DOS, Windows, UNIX. Tools: TCP/IP, various DOS, Windows, and Internet applications
- 1993-1994      *Senior Systems Engineer, Charles Schwab & Company:* Supported on-line cost Accounting systems. Developed design specifications, detailed designs, and implemented changes. Environment: IBM 3090, HP UNIX servers. Operating Systems: MVS/ESA, UNIX, OS/2, Windows, PC-DOS. Languages: FOCUS, COBOL II, Easytrieve+. Tools: DB2, DB21, WMF, JCL, TSO.
- 1991-1993      *Consultant, Levi Strauss & Company:* Supported on-line manufacturing tracking system. Developed design specifications and implemented system modifications. Environment: IBM 3090, networked workstations. Operating Systems: MVS Netware, OS/2, PC-DOS. Languages: COBOL II, COBOL, REXX, Easytrieve+. Tools: IMS/DB, XDB, DB2/2, DB2, QMF, DB21, Data Expert, Expediter, File-Aid, Telon, CICS, ISPF, TSO, JCL, Microfocus COBOL Workbench, Panvalet, Endeavor.



# Comtex Communications Network Profile

As of November 1997

## Overview

Comtex continues the deployment of a nationwide digital network based on the AT&T ECS switching platform. Currently 4 switches and 5 points of presence (POP's) are active with 2 switches and 4 POP's planned in 1998. This network represents a dramatic investment in the future, keeping pace with new demands of the information age.

Switch Locations: Seattle, Chicago, Detroit and Dallas

POP Sites: Los Angeles, New York, Omaha, Cleveland, Cincinnati

Planned 1998 Sites: Toronto, Miami, Washington D.C., Atlanta, Denver, Minneapolis

## Transmission Facilities

A Sonet OC3 network backbone connects switches with DS3 connections to major POP's. This redundant, leased fiber optic coast-to-coast facility connects Seattle, Omaha, Chicago, Detroit and New York. AT&T DDM-2000 OC3 Sonet multiplexors are utilized with at least two local loop providers at each switchroom, providing redundant components to assure network reliability.

## Switching Infrastructure

The AT&T/Lucent Technologies ECS G3 Version 8 is the latest multimedia switching platform available today. 100% software upgradable, the G3 is able to accommodate needs now and into the future such as AIN and ATM. In Seattle, a Northern Telecom DMS-250 SuperNode is utilized for SS7 connectivity and CLEC services.

A second NT tandem switch is employed for calling card and 800 traffic. The switch hardware all uses redundant power supplies/rectifiers and is backed up by a 7.5KVA UPS.

## Enhanced Services

Comtex has standardized on the versatile CallStream voice mail system which supports voice, e-mail and fax messaging in one Unix-based system. CallStream VMS allows flexible delivery options, 4 to 7 digit mailboxes and a proprietary Comtex message waiting notification for hospitality customers.

Three Dialogic based systems supports IVR and voice resource CTI for enhanced services applications.

## Data Network

High speed frame relay data links connect Seattle to Tulsa, Chicago and Detroit as well as to the Internet. Chicago uses a T1 connection exclusively for Internet connections providing FTP and web site access for Comtex customers. Cisco 1800 and 7000 series routers handle the major traffic gateways along with switches from 3Com. ADC Kentrox CSU's ensure channel performance and bit error correction. A Livingston Portmaster provides dial up connections in Seattle and 100Mb/s 3Com hubs connect LAN and WAN users with Ascend multiprotocol routers.

## Software

TeleTrac is the Comtex developed billing system for hospitality customers. Two years of development with 3 programmers and 4 hardware engineers established the most complete billing system in the industry. TeleTrac 3.0 just completed a major overhaul under Microsoft Windows NT and added Internet connectivity features.

## Network Operations Center

At the NOC in Seattle, the entire network is monitored and controlled. Network monitoring also takes place around the clock at the AT&T Denver RMATS Center. Using a new generation of network control software, NOC managers can identify trouble spots before they affect customers and quickly reroute traffic over alternate facilities. Trouble ticket reporting goes directly to the NOC, not through customer service, providing an average ticket open to close time of 34 minutes.

## People behind the Network

The best technology is virtually useless without a quality staff to implement and maintain the hardware and software. Among them, some of the most dedicated and experienced telecommunications professionals in the business. Engineering and development staff bring years of experience from companies such as AT&T, US West, Pacific Bell, IBM, and US Telco. Comtex has an in-house MIS and programming staff able to provide custom changes for unique client needs. Technicians are on call 24 hours at each site for physical work that may be required.

## Statistics

- Switch ports in service: 2,800
- Network availability rate: 99.83%
- Transmission bit error rate: 10 to the minus 10 (1 errored bit in 10 billion)
- Average switch site investment: \$200,000.
- Switches with latest release of software: 75%
- Average age of network hardware: 1.3 years
- In almost 4 years, Comtex has never had a major switch or network outage.

For further information or a tour of any of our switch locations, contact Jason T. Sidell, Vice President, Operations or Pat Dombrowski, Vice President, Marketing.

# Kott Enterprises, Inc.

Telecom Tariff Consultants

PO Box 275, Center Lovell, ME 04016  
Tel: (207) 928-2144 Fax: (207) 928-2139

DEPOSIT

DATE Cynthia D. Kott, President  
Alison Kacurov, Administrative Assistant

0000

SEP 02 1998

August 20, 1998

Florida Public Service Commission  
Division of Administration  
2540 Shumard Oak Blvd.  
Gunter Building  
Tallahassee, Florida 32399-0850

981098-TI

RE: Comtex Corporation

Dear Sir / Madam:

Enclosed please find an original and six copies of the application, tariff and exhibits for filing on behalf of the above referenced long distance reseller.

Also enclosed please find a check in the amount of \$250.00 representational of filing fee.

For purposes of verification of receipt I am enclosing a copy of this transmittal letter and a SASE. Please date stamp copy and return to me.

If there is anything further that you may need to complete this filing, please let me know.

I look forward to working with you on behalf of my client.

Respectfully,

15218  
SEP-2 1998



**COMTEX CORPORATION**  
2801 ELLIOT AVE., SUITE 3158  
SEATTLE, WA 98121  
206-441-8006

SEAFIRST BANK  
ALDERWOOD PLAZA BRANCH  
LYNNWOOD, WA 98037  
19-2-1250

15218

8/7/98

PAY TO THE ORDER OF FLPSC

\$ \*\*250.00

Two Hundred Fifty and 00/100

DOLLARS

FLPSC

MEMO

COMTEX CORPORATION

*Alan Davidson*

Security features included. Details on back.