

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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WASHINGTON, D.C. 20005-2111

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September 28, 2000

VIA OVERNIGHT DELIVERY

Florida Public Service Commission
Divisions of Records and Reporting
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

001511-TX

RECORDS AND
REPORTING

RECEIVED-FPSC
SEP 29 PM 3:53

Re: Application of Dynamic Telcom Engineering I, LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Telecommunications Services Throughout the State of Florida

To Whom It May Concern:

Enclosed on behalf of Dynamic Telcom Engineering I, LLC ("DTE") are an original and six (6) copies of the above-referenced Application. Please note that DTE is seeking confidential treatment of certain financial information of Dynamic Telcom Engineering, LLC and has filed these documents under seal.

Please date stamp the extra copy of this filing and return it in the self-addressed envelope provided. If you have any questions, please do not hesitate to contact John Beahn at (202) 371-7392.

Respectfully Submitted,

J.L.L.B.-h

Jay Birnbaum
John Beahn

Counsel to Dynamic Telcom Engineering I, LLC

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:
J.B.M.

RECEIVED & FILED

REC'D & REPRODUCED RECORDS

Application
DOCUMENT NUMBER-DATE

12395 SEP 29 00

FPSC-RECORDS/REPORTING

Confidential
DOCUMENT NUMBER-DATE

12396 SEP 29 00

FPSC-RECORDS/REPORTING

ORIGINAL

APPLICATION

1. This is an application for $\sqrt{\quad}$ (check one):
- ($\sqrt{\quad}$) **Original certificate** (new company).
 - () **Approval of transfer of existing certificate:** Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority.
 - () **Approval of assignment of existing certificate:** Example, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.
 - () **Approval of transfer of control:** Example, a company purchases 51 % of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

Dynamic Telcom Engineering I, LLC

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

4. Official mailing address (including street name & number, post office box, city, state, zip code):

29225 Chagrin Blvd, Suite 100, Cleveland, OH 44122

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

CT CORPORATION SYSTEM, 1200 South Pine Island Road,
Plantation, FL 33324

DOCUMENT NUMBER DATE

12395 SEP 29 8

FPSC-RECORDS/REPORTING

6. Structure of organization:

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

7. If individual, provide:

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ Fax No.: _____

Internet E-Mail Address: _____

Internet Website Address: _____

8. If incorporated in Florida, provide proof of authority to operate in Florida:

(a) The Florida Secretary of State corporate registration number:

9. If foreign corporation, provide proof of authority to operate in Florida:

(a) The Florida Secretary of State corporate registration number:

10. If using fictitious name-d/b/a, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:

(a) The Florida Secretary of State fictitious name registration number:

11. If a limited liability partnership, provide proof of registration to operate in Florida:

(a) The Florida Secretary of State registration number:

12. If a partnership, provide name, title and address of all partners and a copy of the partnership agreement.

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ Fax No.: _____

Internet E-Mail Address: _____

Internet Website Address: _____

13. If a foreign limited partnership, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) The Florida registration number: _____

14. Provide F.E.I. Number(if applicable): 34-1884929

15. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

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

Attached as Exhibit 5.

- (b) an 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.

Not Applicable.

16. Who will serve as liaison to the Commission with regard to the following?

- (a) The application:

Name: Paul Saggese

Title: Director of Contract Management

Address: One Seagate - Suite 1160

City/State/Zip: Toledo, Ohio 43604

Telephone No.: (419) 247-5580

Fax No.: (419) 247-5582

Internet E-Mail Address: psaggese@dtelc.com

Internet Website Address: _____

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

Name: Paul Saggese

Title: Same as above

Address: Same as above

City/State/Zip: Same as above

Telephone No.: Same as above

Fax No.: Same as above

Internet E-Mail Address: Same as above

Internet Website Address: _____

- (c) Complaints/Inquiries from customers:

Name: Paul Saggese

Title: Same as above

Address: Same as above

City/State/Zip: Same as above

Telephone No.: Same as above Fax No.: Same as above

Internet E-Mail Address: Same as above

Internet Website Address: _____

17. List the states in which the applicant:

(a) has operated as an alternative local exchange company.

Applicant has not operated as an alternative local exchange company in any state.

(b) has applications pending to be certificated as an alternative local exchange company.

Applicant has applications pending to be certificated as an alternative local exchange company in Georgia, Illinois, Nevada, Ohio, Utah and Virginia.

(c) is certificated to operate as an alternative local exchange company.

Applicant is not certificated as an alternative local exchange company in any state.

(d) has been denied authority to operate as an alternative local exchange company and the circumstances involved.

Applicant has not been denied authority to operate as an alternative local exchange company in any state.

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

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

- (f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

Applicant has not been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity.

18. Submit the following:

A. Financial capability. **Attached as Exhibit 2.**

The application should contain the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer affirming that the financial statements are true and correct and should include:

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

NOTE: 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.

Further, the following (which includes supporting documentation) should be provided:

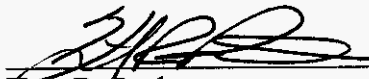
1. written explanation that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served. **Attached as Exhibit 2.**

2. written explanation that the applicant has sufficient financial capability to maintain the requested service. **Attached as Exhibit 2.**
 3. written explanation that the applicant has sufficient financial capability to meet its lease or ownership obligations. **Attached as Exhibit 2.**
- B. **Managerial capability:** give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each. **Attached as Exhibit 3.**
- C. **Technical capability:** give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance. **Attached as Exhibit 4.**

****APPLICANT ACKNOWLEDGMENT 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 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:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

UTILITY OFFICIAL:


Kurt R. Packer
Senior Vice President – Business Operations

Date 9/13/2000

Dynamic Telcom Engineering I, L.L.C.
One SeaGate, Suite 1160
Toledo, Ohio 43604
Phone: (419) 247-5580
Fax: (419) 247-5582

ATTACHMENTS:

- A - CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT
- B - INTRASTATE NETWORK
- C - AFFIDAVIT

**** APPENDIX C ****

AFFIDAVIT

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative local exchange company service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."



Kurt R. Packer
Senior Vice President – Business Operations

Date 9/13/2000

Dynamic Telcom Engineering I, L.L.C.
One SeaGate, Suite 1160
Toledo, Ohio 43604
Phone: (419) 247-5580
Fax: (419) 247-5582

EXHIBITS

Exhibit 1 - Proposed Services

Exhibit 2 - Financial Documentation

Exhibit 3 - Managerial and Technical Experience

Exhibit 4 - Corporate Documentation

Exhibit 5 - Explanation to Question 15(a)

EXHIBIT 1

Proposed Services

PROPOSED SERVICES

Dynamic Telcom Engineering I, LLC ("DTE") requests authorization to offer resold and facilities-based telecommunications services to business and residential end users throughout the State of Florida. DTE's local exchange services will include basic dial tone, operator services, directory assistance and emergency 911 services. DTE's exchange access services will include, without limitation, terminating access to enable other carriers to terminate traffic to the DTE networks and originating access to enable DTE customers to access the interexchange networks of other carriers on a non-discriminatory basis.

To the extent DTE resells telecommunications services, it will purchase digital trunking services from an existing incumbent or competitive carrier for local service and purchase service from an interexchange carrier for long distance service. To the extent DTE provides facilities-based services, it will connect its own switching centers to another carrier's local switching facilities using trunks leased from another carrier.

DTE also plans to provide Operator Services and Directory Assistance through subcontracts with long distance and local carriers. DTE will staff its own call center for providing service, answering customer calls and resolving customer concerns. DTE may subcontract for customer directory listings and plans either to subcontract for, or to provide through its own switch, 911 and E911 services.

As a newly formed start-up, DTE is currently not providing telecommunications services in any jurisdiction. DTE, however, intends to construct its telecommunications residential networks in a variety of states, potentially including Arizona, California, Colorado, Georgia, Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nevada, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee, Texas, Utah, Virginia and Washington.

EXHIBIT 2

Financial Capability

[DOCUMENTS FILED UNDER SEAL]

Financial Information

DTE has access to the financing and capital necessary to conduct its Florida operations as specified in this Application. As a recently formed subsidiary and new entrant, DTE currently does not have its own financial statements. DTE, therefore, will rely on the financial resources of its parent company, Dynamic Telcom Engineering, LLC ("DTE LLC"), an Ohio Limited Liability Company to provide the initial capital investment and funding for its Florida operations. Accordingly, DTE LLC submits its most recent balance sheets. With access to this financing, DTE is financially well qualified to provide the telecommunications services proposed in this Application.

EXHIBIT 3

Managerial and Technical Capability

Officers and Directors

The management of DTE is well qualified to execute its business plan, having extensive managerial and technical experience in the telecommunications industry. DTE's officers include the following individuals:

Eli Asher	Chairman and Founder
Kevin Bennis	CEO and President
Mark Katko	Chief Technical Officer
Ronald Teague	Senior Vice President - Corporate Development
James Otte	Senior Vice President - Technical Operations
Kurt Packer	Senior Vice President - Business Operations
Timothy Pruchnicki	Vice President - Field Engineer
Bruce Meyer	Director of Network Operations

All of the above individuals can be reached at the following address:

29225 Chagrin Blvd., Suite 100
Cleveland, OH 44122
Tel: (216) 292-4400
Fax: (216) 292-1871

Descriptions of the telecommunications and managerial experience of Applicant's officers are attached hereto.

Executive Officers

Eli Asher is DTE's Chairman of the Board, Founder and Executive Vice President of Developer Sales and Marketing. Mr. Asher has consulted with, managed, and capitalized early stage start-up companies since 1980. As part of his twenty years of experience with start-up companies, Mr. Asher has developed substantial expertise in developing and marketing business applications for proprietary technology and intellectual property. His experience includes two years at Sand Technology Systems, Inc. ("**Sand Technology**"), the exclusive distributor of Hitachi peripherals in Canada. Mr. Asher helped to formulate a strategic business plan for the company and develop Sand Technology into a publicly traded Canadian company. Mr. Asher served for four years as president and Chief Executive Officer of Tri-Tech Systems, Int'l, Inc. ("**Tri-Tech**"), a start-up company with proprietary plastics processing technology. Mr. Asher raised more than \$14 million in research and development funding for TSI, which grew to employ thirty people under his tenure, and helped the company bring its first product to market. Mr. Asher also has been active in community service, serving for more than eight years as executive director of the Springfield Jewish Federation in Massachusetts. Mr. Asher received his undergraduate degree from Rutgers University and his Masters degree from Springfield College in Massachusetts.

Kevin Bennis is the President and Chief Executive Officer of DTE. Mr. Bennis was most recently employed as President and Chief Executive Officer of Call-Net Enterprises, Inc. ("**Call-Net**"), the largest non-Bell long distance competitor in Canada, where he continues to serve on the Board of Directors. As President and CEO of Call-Net, Mr. Bennis was responsible for nearly one million residential customers, over 100,000 business customers, 180,000 internet subscribers, 2,400 employees and \$1.3 billion dollars in revenue. Under his direction, Call-Net successfully introduced internet call waiting service, residential 800 service (Canada's first) and Internet protocol virtual private network (IP VPN) service. Prior to his employment at Call-Net, Mr. Bennis was President of Pathnet, a carrier's carrier that provided fiber and wireless broadband capacity to under-served cities in the United States. Before working in this position, Mr. Bennis served as President of Frontier Communications, a \$1.9 billion long distance/integrated communications business. In addition, Mr. Bennis has over 21 years experience with MCI where he held various senior management positions, including Senior Vice President of Business Marketing, President of Banatel (a joint venture in Mexico with Banamex), President of the Systems Integration Division, and Vice President of Consumer Sales and Customer Service, in which position he supervised MCI's \$5 billion consumer revenue plan, including 12,000 sales and service professionals in 23 call centers and an annual budget of \$600 million.

Mark Katko is DTE's Chief Technology Officer and Executive Vice President of Engineering Services and Support. Mr. Katko has seven years of technical network design experience and has received four top annual awards from Ameritech as one of the top network designers in the United States. Prior to forming DTE, Mr. Katko worked from 1993 to 1996 as Senior Design Engineer for The Koxlien Group, a communications consulting organization. At The Koxlien Group Mr. Katko designed and implemented a number of complicated and technical wide area networks for Fortune 500 companies such as Dana Corporation and Trinova, as well as numerous other private and publicly-held companies. Mr. Katko conceived, engineered, and implemented technology which allowed LCI International, Inc. ("LCI"), a multinational telecommunications company, to reconfigure its dedicated carrier connection (T1 type) to reduce customer rate structures. He designed and implemented a unique Wide Area Network for Mid Am, Inc., involving five separate banks and some 120 branches. Mr. Katko also created the LATA Pure Network, a proprietary network design, and served as co-leader of a project with engineers at Ascom Timeplex to develop a Branch Nodal Processor to implement his LATA Pure Network technology. Mr. Katko also developed and implemented a wide area network connecting 66 Sisters of Mercy Hospitals across the United States. Prior to his work at The Koxlien Group Mr. Katko served as Senior Analyst for Marathon Oil in pipeline and wide area network communications from 1991 to 1993. Mr. Katko received his B.S. in electrical engineering from the University of Texas.

Timothy M. Pruchnicki is the Vice-President and Field Engineer for DTE. Prior to joining DTE, Mr. Pruchnicki worked for 29 years at AT&T, serving the past seven years as a Sales Case Manager. In that position he managed 30 regional managers and data consultants who were responsible for all high speed data installations, and supervised new product testing, evaluation and customer feedback monitoring. Mr. Pruchnicki's group also field-tested products such as Integrated Network Connection Services. Mr. Pruchnicki's other positions at AT&T included Data Processing, Human Resources, Accounting, Inventory Control, and Service Support. Mr. Pruchnicki oversaw the installation and programming of AT&T's Definity and Merlin switches and related hardware, and managed complex voice and data applications associated with T1s, and developed a procedures manual for complex voice/data implementation.

Ronald R. Teague is DTE's Senior Vice President, Corporate Development. Mr. Teague has 32 years of corporate and entrepreneurial business management experience. In 1997 Mr. Teague co-founded Access-Toledo, Inc., which provides residential and business Internet services for a three-state area. Prior to this, Mr. Teague served as president of Kahn & Deihl, Inc., an optometric group, where in less than four years he developed the group's new contact-lens distribution division into

the third largest contact lens distributor in the United States. Prior to his work at Kahn & Deihl, Mr. Teague worked for Owens-Illinois in senior management, serving in corporate development and concluding his career at Owens-Illinois as a member of the Senior Management Team which negotiated the company's leveraged buyout. Mr. Teague received his B.B.A. and M.B.A. degrees from the University of Toledo.

OTHER OFFICERS

James L. Otte is the Senior Vice President, Technical Operations. Mr. Otte has 14 years of experience in electronics engineering and is recognized as one of the top electronics engineers in the United States. Mr. Otte's electronics research and development work has resulted in the invention of various security devices and software that are now universally used in the security industry. One such invention was the electronic metal key access control system used by numerous hotels and Fortune 500 companies, and a trackable weapons container system used by the ATF and DEA. In 1996, Mr. Otte co-founded Glass City Internet Service, an internet company providing internet connectivity for residential and business purposes on a national scale. Mr. Otte developed a wireless Intranet application for Glass City, and co-developed several new Internet applications and products which are being sold today under the Microsoft and Cisco umbrellas. Prior to his work for Glass City, Mr. Otte served as Senior Vice President for Corporate Protection Services, Inc. ("CPS"), a company he co-founded in 1986 and which became one of the top electronic security firms in the United States. At CPS, Mr. Otte sold, engineered, and supervised the installation of security protection services for numerous Fortune 500 companies, including Owens Corning, Roadway Express, British Petroleum, and Trinova. Mr. Otte received his B.S. in electrical engineering from the University of Toledo.

Bruce D. Meyer is the Director of Network Operations for DTE. Mr. Meyer has eleven years of experience designing, installing, and operating a wide range of systems and networks. Prior to working for DTE, Mr. Meyer served as a Network Analyst 3 for Mercy Health Partners, where he designed, installed, maintained and operated an enterprise-wide ATM network consisting of more than 4,000 workstations at more than 50 off-campus locations, and operated a wide range of technical devices including switches, hubs, bridges, gateways, and mainframes. Mr. Meyer worked as a Network Engineer for Promedica Health System, where he developed and maintained a virtual private network device. During this time he also monitored and maintained a firewall, planned the Y2K upgrade of routers, and managed a \$900,000 budget. Mr. Meyer served as Senior Network Analyst at St. Vincent Mercy Hospital where he played a key role in the operation and design of an enterprise-wide network. Mr. Meyer's career began at the Medical College of Ohio

in 1989 where he was responsible for hardware, software, and systems support. Mr. Meyer received his B.B.A. in Information Systems from the University of Toledo.

EXHIBIT 4

Corporate Documentation



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

September 26, 2000

CT CORPORATION SYSTEM
JEFF NETHERTON

Qualification documents for DYNAMIC TELCOM ENGINEERING I, L.L.C were filed on September 26, 2000, and assigned document number M00000001983. Please refer to this number whenever corresponding with this office.

Your limited liability company is now qualified and authorized to transact business in Florida as of the file date. In accordance with section 608.406(2), F.S., the name of this limited liability company is filed with the Department of State for public notice only and is granted without regard to any other name recorded with the Division of Corporations.

A limited liability company annual report/uniform business 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 limited liability company address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please telephone (850) 487-6051, the Registration and Qualification Section.

Trevor Brumbley
Document Specialist
Division of Corporations

Letter Number: 500A00050511

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 608.503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. Dynamic Telecom Engineering I, L.L.C.
(Name of foreign limited liability company)

2. Ohio 3. 34-1884929
(Jurisdiction under the law of which foreign limited liability company is organized) (FEI number, if applicable)

4. September 5, 2000 5. Perpetual
(Date of Organization) (Duration: Year limited liability company will cease to exist or "perpetual")

6. Upon qualification
(Date first transacted business in Florida. (See sections 608.501, 608.502, and 817.155, F.S.))

7. 29225 Chagrin Boulevard, Suite 100
Cleveland, Ohio 44122
(Street address of principal office)

8. If limited liability company is a manager-managed company, check here

9. The usual business addresses of the managing members or managers are as follows:
One Seagate, Suite 1160
Toledo, Ohio 43604

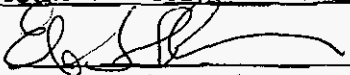
SECRETARY OF STATE
ALLAHASHEE, FLORIDA

00 SEP 26 AM 11:43

APPROVED
AND
FILED

10. Attached is an original certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (A photocopy is not acceptable. If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted.)

11. Nature of business or purposes to be conducted or promoted in Florida:
Communications and related services



Signature of a member or an authorized representative of a member.
(In accordance with section 608.408(3), F.S., the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true.)

Eli Asher
Typed or printed name of signee

**CERTIFICATE OF DESIGNATION OF
REGISTERED AGENT/REGISTERED OFFICE**

PURSUANT TO THE PROVISIONS OF SECTION 608.415 OR 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT TO DESIGNATE A REGISTERED OFFICE AND REGISTERED AGENT IN THE STATE OF FLORIDA.

1. The name of the Limited Liability Company is:

Dynamic Telcom Engineering I, L.L.C.

2. The name and the Florida street address of the registered agent and office are:

C T Corporation System

(Name)

c/o C T Corporation System, 1200 South Pine Island Road

Florida street address (P.O. Box NOT ACCEPTABLE)

Plantation

FL 33324

City/State/Zip

SECRETARY OF STATE
ALLAH/ASST. OF FLORIDA

00 SEP 26 AM 11:43

FILED
AND
FILED

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, 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 relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, F.S.

C T Corporation System

Marlotte Renee Cruz
(Signature)

Marlotte Renee Cruz, Asst. Secretary

\$ 100.00 Filing Fee for Application
\$ 25.00 Designation of Registered Agent
\$ 30.00 Certified Copy (optional)
\$ 5.00 Certificate of Status (optional)

EXHIBIT 5

Explanation to Question 15(a)

Explanation to Question 15(a)

As stated in Exhibit 3, Eli Asher is DTE's Chairman of the Board, Founder and Executive Vice President of Developer Sales and Marketing. Mr. Asher served for four years as president and Chief Executive Officer of Tri-Tech Systems, Int'l, Inc. ("Tri-Tech"), a start-up company with proprietary plastics processing technology. Mr. Asher raised more than \$14 million in research and development funding for Tri-Tech, which grew to employ thirty people under his tenure, and helped the company bring its first product to market. Subsequent market conditions forced Tri-Tech into Chapter 11 and, as a result of personal liabilities, Mr. Asher declared personal bankruptcy.

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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September 28, 2000

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Tallahassee, Florida 32399-0850

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DATE

D369

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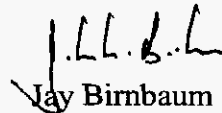
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Please date stamp the extra copy of this filing and return it in the self-addressed envelope provided. If you have any questions, please do not hesitate to contact John Beahn at (202) 371-7392.

Respectfully Submitted,



Jay Birnbaum
John Beahn

*Counsel to Dynamic Telcom Engineering
I, LLC*

ORIGINAL

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Florida Public Service Commission
Divisions of Records and Reporting
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

DEPOSIT DATE
D369 OCT 02 2000

001511-TX

Re: Application of Dynamic Telcom Engineering I, LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Telecommunications Services Throughout the State of Florida

To Whom It May Concern:

Enclosed on behalf of Dynamic Telcom Engineering I, LLC ("DTE") are an original and six (6) copies of the above-referenced Application. Please note that DTE is seeking confidential treatment of certain financial information of Dynamic Telcom Engineering, LLC and has filed these documents under seal.

Please date stamp the extra copy of this filing and return it in the self-addressed envelope provided. If you have any questions, please do not hesitate to contact John Beahn at (202) 371-7392.

Respectfully Submitted,

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SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

1440 NEW YORK AVE., N.W.
WASHINGTON, DC 20005

2079

PAY TO THE ORDER OF

Florida Public Service Commission \$ 250.00

Two hundred fifty ¹⁰⁰/₁₀₀ DOLLARS

Bank of America

ACH R/T 054001204

FOR

Barbara Bricker

⑈002079⑈

RGO, ECR, Legal

ORIGINAL

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

1440 NEW YORK AVENUE, N.W.
WASHINGTON, D.C. 20005-2111
TEL: (202) 371-7000
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September 28, 2000

VIA OVERNIGHT DELIVERY

Florida Public Service Commission
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2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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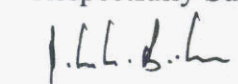
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Respectfully Submitted,



Jay Birnbaum
John Beahn

Counsel to Dynamic Telcom Engineering I, LLC

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 12396-00. The document is in locked storage pending advice on handling. To access the material, your name must be on the CASR. If undocketed, your division director must obtain written EXD/Tech permission before you can access it.

12395-00
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