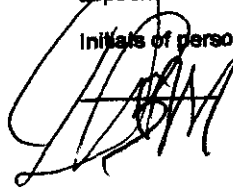


Brett P. Ferenchak
Direct Phone: 202.373.6697
Direct Fax: 202.373.6425
brett.ferenchak@bingham.com
Our File No.: 0000335044

Check received with filing and forwarded
to Fiscal for deposit. Fiscal to forward
deposit information to Records.

Initials of person who forwarded check



November 10, 2008

Via Overnight Courier

Ann Cole, Commission Clerk
Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

**Re: Application of eVox Communications, LLC for Authority to
Provide Competitive Local Exchange Telecommunications
Company Service Within the State of Florida**

Dear Ms. Cole:

On behalf of eVox Communications, LLC ("eVox"), enclosed for filing are an original and two (2) copies of the above-referenced Application. Also enclosed is a check in the amount of \$400 made payable to the Florida Public Service Commission for the filing fee.

Please note that the financial statements provided as Exhibit 3 to the original copy of the Application are proprietary and confidential, and thus, are being submitted under seal. Applicant respectfully requests that the information be accorded confidential treatment and that it not be made a part of the public record or otherwise be made available for public disclosure. This information is provided in a sealed envelope attached only to the original copy of the Application.

Please date-stamp the extra copy of this filing and return it in the enclosed envelope. Should you have any questions regarding this filing, please do not hesitate to contact me.

Respectfully submitted,



Brett P. Ferenchak

Enclosures

COM _____
ECR _____
GCL _____
OPC _____
RCP 1
SSC _____
SGA _____
ADM _____
CLK /

DOCUMENT NUMBER-DATE

10545 NOV 12 08

FPSC-COMMISSION CLERK

- Boston
- Hartford
- Hong Kong
- London
- Los Angeles
- New York
- Orange County
- San Francisco
- Santa Monica
- Silicon Valley
- Tokyo
- Walnut Creek
- Washington

Bingham McCutchen LLP
2020 K Street NW
Washington, DC
20006-1806

T 202.373.6000
F 202.373.6001
bingham.com

FLORIDA PUBLIC SERVICE COMMISSION
DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT
APPLICATION FORM
for
AUTHORITY TO PROVIDE COMPETITIVE LOCAL EXCHANGE
TELECOMMUNICATIONS COMPANY SERVICE
WITHIN THE STATE OF FLORIDA

Instructions

- A. This form is used as an application for an original certificate and for approval of sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 8).
- B. Print or type all responses to each item requested in the application. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of **\$400.00** to:

Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770

- E. A filing fee of **\$400.00** is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.815, F.A.C.).

- F. If you have questions about completing the form, contact:

Florida Public Service Commission
Division of Competitive Markets and Enforcement
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600

FORM PSC/CMP-8 (01/06)
Required by Commission Rule Nos. 25-24.810,
and 25-24.815

Note: To complete this interactive form
using your computer, use the tab key
to navigate between data entry fields.

- 1 -

A/72728617.2

DOCUMENT NUMBER DATE

10545 NOV 12 8

FPSC-COMMISSION CLERK

1. This is an application for (check one):

Original certificate (new company).

Approval of transfer of existing certificate: Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority rather than apply for a new certificate.

Approval of assignment of existing Certificate: Example, a certificated company purchases an existing company and desires to retain the existing certificate of authority and tariff.

2. Name of company: **eVox Communications, LLC ("eVox")**

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

N/A

4. Official mailing address:

Street/Post Office Box: **30 Dane Street**
City: **Somerville**
State: **Massachusetts**
Zip: **02143**

5. Florida address:

Street/Post Office Box: **c/o Corporation Service Company**
1201 Hays Street
City: **Tallahassee**
State:
Zip: **32301**

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, Foreign Limited Liability Company | | |

7. **If individual**, provide:

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

8. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:

9. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is: **M08000004833**. **A copy of eVox's authorization from the Secretary of State to operate in Florida is attached as Exhibit 1.**

10. **If using fictitious name (d/b/a)**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida. The Florida Secretary of State fictitious name registration number is: **N/A**

11. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is: **N/A**

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

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

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. The Florida registration number is: **N/A**

14. Provide F.E.I. Number(if applicable): **26-3345870**

15. Who will serve as liaison to the Commission in regard to the following?

(a) The application:

Name: **Ronald W. Del Sesto, Jr. & Brett P. Ferenchak**

Title: **Counsel for eVox Communications, LLC**

Street name & number: **Bingham McCutchen LLP
2020 K Street, NW**

Post office box:

City: **Washington**

State: **DC**

Zip: **20006**

Telephone No.: **202-373-6697**

Fax No.: **202-373-6001**

E-Mail Address: **r.delsesto@bingham.com**

brett.ferenchak@bingham.com

Website Address:

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

Name: **David Callan**

Title: **President & Chief Executive Officer**

Street name & number: **30 Dane Street**

City: **Somerville**

State: **Massachusetts**

Zip: **02143**

Telephone No.: **617-453-2424**

Fax No.: **617-453-2111**

E-Mail Address: **dcallan@evox.net**

Website Address:

(c) Complaints/Inquiries from customers:

Name: **Michael Brown**

Title: **Chief Operating Officer, Chief Financial Officer/Treasurer**

Street name & number: **30 Dane Street**

City: **Somerville**

State: **Massachusetts**

Zip: **02143**

Telephone No.: **617-453-2424**

Fax No.: **617-453-2111**

E-Mail Address: **mbrown@evox.net**

Website Address:

16. List the states in which the applicant:

(a) has operated as a Competitive Local Exchange Telecommunications Company.

None.

(b) has applications pending to be certificated as a Competitive Local Exchange Telecommunications Company.

eVox has a registration pending to provide competitive local exchange services in Massachusetts.

(c) is certificated to operate as a Competitive Local Exchange Telecommunications Company.

None. eVox, however, is authorized by the FCC to provide interstate and international telecommunications services.

(d) has been denied authority to operate as a Competitive Local Exchange Telecommunications Company and the circumstances involved.

eVox has not been denied authority to operate as a Competitive Local Exchange Telecommunications Company.

(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.

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

(a) adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, provide explanation.

Except for the following, no officer, director or owner of eVox has previously been adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime.

Shawn Lewis has a fully discharged and closed personal Chapter 11 Bankruptcy from 2005, in which all creditors received 100% of their claims thru the court approved plan.

(b) granted or denied a competitive local exchange certificate in the State of Florida (this includes active and canceled competitive local exchange certificates). If yes, provide explanation and list the certificate holder and certificate number.

Except for the following, no officer, director or owner of eVox has previously been granted or denied a competitive local exchange certificate in the State of Florida.

Shawn Lewis was President/CEO of Volo Communications of Florida, Inc. ("Volo") which was granted CLEC Certificate No. 8345. Volo was later merged to VOIP INC in 2005. Mr. Lewis remained on as an employee until 2007 at which time he resigned to begin a new venture.

(c) an officer, director, partner or stockholder in any other Florida certificated or registered telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

None.

18. Submit the following:

(a) Managerial capability: resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

Please see Exhibit 2.

(b) Technical capability: resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

Please see Exhibit 2.

(c) Financial Capability: applicant's audited financial statements for the most recent three (3) years. If the applicant does not have audited financial statements, it shall so be stated. 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.

Since eVox is new entity formed on September 10, 2008, eVox does not have audited financial statements. Therefore, eVox provides a pro forma financial statements along with an affirmation from the President and Treasurer of eVox that the financial statements are true and correct. eVox is a privately held corporation that maintains that its financial information is proprietary and confidential. The information contained in the financial statements is commercially sensitive, non-public information which is internally generated and not available to competitors of eVox, and that the disclosure of such information could place eVox at a significant competitive disadvantage if it is made available to such competitors. A copy of eVox's financial information demonstrating its financial qualifications, labeled Exhibit 3 hereto, is provided under seal.

THIS PAGE MUST BE COMPLETED AND SIGNED

REGULATORY ASSESSMENT FEE: I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

RECEIPT AND UNDERSTANDING OF RULES: I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of competitive local exchange telecommunications company (CLEC) service in Florida.

APPLICANT ACKNOWLEDGEMENT: 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 competitive local exchange telecommunications company service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I 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.**"

Company Owner or Officer

Print Name: **David Callan**
Title: **President**
Telephone No.: **617-453-2424**
E-Mail Address: **dcallan@evox.net**

Signature: _____

Date: 11/10/08

Exhibit 1

Authorization to Operate in Florida



FLORIDA DEPARTMENT OF STATE
Division of Corporations

November 3, 2008

MOLLY MCCANN
176 FEDERAL STREET 6TH FLOOR
BOSTON, MA 02110

Qualification documents for EVOX COMMUNICATIONS, LLC were filed on October 31, 2008, and assigned document number M0800004833. 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.

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 1-800-829-4933 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 contact this office at the address given below.

Gina McLeod
Regulatory Specialist II
Registration/Qualification Section
Division of Corporations

Letter Number: 708A00055925

Exhibit 2

Managerial and Technical Capability

MANAGEMENT BIOGRAPHIES

David Callan, President and CEO

Mr. Callan serves as President and CEO of Waterwheel Networks, LLC the parent company of eVox Communications, LLC and eVox Mobile, LLC. eVox Communications has FCC interstate and international common carrier authority as well as CLEC authority in Massachusetts. eVox Mobile is a FCC licensed CMRS common carrier.

As an operating executive, Mr. Callan founded and served as President/CEO of RiverDelta Networks, Inc, a Network infrastructure solutions provider, who developed an integrated cable modem termination system. RiverDelta was acquired by Motorola in 2001. Prior to building RiverDelta, Mr. Callan founded and was President/CEO of Xcom Technologies, a telecommunications CLEC providing exchange services in multiple states. Xcom was acquired by Level3 Communications in 1998. Post acquisition, Mr. Callan worked on advanced network planning at Level3. Before starting Xcom, Mr. Callan founded and was President/CEO of Complete Internet Access, a internet service provider (ISP). Complete Internet Access was also acquired by Level3 Communications in a separate transaction.

Michael Brown, Vice President and COO

Michael Brown is Vice President and COO of eVox Communications, LLC. He has more than 20 years experience in the communications industry. Prior to founding eVox, Mr. Brown was Vice President of Business Development at Motorola, a leading supplier of mobile and broadband communications technology; Vice President and COO of RiverDelta Networks, a leading developer and manufacturer of broadband networking equipment; and Director of Advanced Communications Technology at The MITRE Corporation, a Federally Funded Research & Development Center serving the U.S. Defense, Intelligence and Aviation communities.

Mr. Brown holds a MBA from Boston University's Graduate School of Management, a MSEE from the University of California's Graduate School of Engineering and a BSEE from the Worcester Polytechnic Institute.

Shawn Lewis, Chief Technology Officer

Mr. Lewis co-founded (1996) and served as Chief Technology Officer of XCOM technologies, a facilities-based competitive local exchange carrier. XCOM had numerous state CLEC authorities and was physically interconnected in multiple states. XCOM was acquired by Level 3 Communications in 1998. Mr. Lewis remained at Level 3 and served as a network architect for advanced technology. In 2001, Mr. Lewis founded Caerus, Inc. and its subsidiary Volo Communications. Volo, a local exchange common carrier and IXC which had CLEC authority in 21 states and physical interconnection in 12. In May 2005, Caerus/Volo were merged into Voip, Inc. Mr. Lewis served as Chief Technology Officer until his resignation in early 2007 to start a new venture. Mr. Lewis is currently Chief Technology Officer of Waterwheel Networks, Inc. and its subsidiary eVox Communications.

EXHIBIT 3

Financial Statements (Under Seal)

CONFIDENTIAL

FINANCIAL STATEMENTS VERIFICATION

The undersigned President/Chief Executive Officer and Treasurer/Chief Financial Officer of eVox Communications, LLC ("eVox") affirm that the unaudited financial statements provided as Exhibit 2 to the Application of eVox for Authority to Provide Competitive Local Exchange Telecommunications Company Service in the State of Florida are true and correct to the best of their knowledge, information, and belief.

We declare under penalty of perjury that the foregoing is true and correct.
Executed this 10th day of November, 2008.



David F. Callan
President/Chief Executive Officer
eVox Communications, LLC



Michael R. Brown
Treasurer/Chief Financial Officer
eVox Communications, LLC