

State of Florida



ORIGINAL
Public Service Commission
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DATE: September 26, 2002
TO: Kay Flynn/Ruth Nettles, Commission Clerk & Administrative Services
FROM: Brenda H. Hawkins, Division of Competitive Markets & Enforcement *BHH*
Jessica Elliott, Office of the General Counsel
RE: Docket No. 020653-TX - ALEC APPLICATION FOR LITESTREAM
TECHNOLOGIES, LLC

Initially, an ALEC application was submitted for Litestream Technologies, LLC d/b/a Litestream Technologies. According to the attached letter from David Drykerman, Regulatory Director for the company, staff is requesting the d/b/a be removed from the company name.

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September 24, 2002

VIA U.S. MAIL

Ms. Brenda Hawkins
Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Litestream Technologies' IXC (020852-TI) and ALEC (020653-TX) Applications

Dear Ms. Hawkins:

I appreciate Linda, Jessica and yourself taking the time to work through our application issues earlier today. This letter will confirm those issues raised in today's call, which are the full extent of any outstanding concerns in either of Litestream's applications on file with the PSC.

Firstly, this letter will affirm Litestream Technologies, LLC's ("LLC") desire to cancel the d/b/a of Litestream Technologies stated in our ALEC Application. The name Litestream Technologies has not been used, and will not be used by our company on a going-forward basis, and we will only be referred to as Litestream Technologies, LLC, unless at some future time a different d/b/a or fictitious name is filed. The outstanding fictitious name of Litestream Technologies which exists today and is owned by Heritage Technologies is not and will not be associated with Litestream Technologies, LLC. The LLC entity is prepared to move forward toward certification in its name.

Secondly, you have asked for an explanation of the different addresses listed in our registered State of Florida documents and those addresses listed on our applications. The registered address of 702 N. Franklin is an address that was used by the LLC when we originally set-up the entity. However, while one of the two 50% owners of the LLC still remains in that office, the address will be maintained as the registered address. The operations and regulatory/legal matters are being handled from the LLC's other Florida offices. I am located at the Coral Gables address and placed this address on the application so that the PSC would know where to contact me, the Director of Regulatory Affairs. This Coral Gables address is still the place where all correspondence related to the above referenced applications should be sent. Additionally, the LLC maintains a second Tampa address, the 3550 W. Waters location, where all of its operations are conducted. This is also the location where much of the LLC's administrative work and customer service takes place.

1500 San Remo Avenue, Suite 225 Coral Gables, Florida 33146

Finally, as for our managers and directors, the names and addresses of those listed in the two applications are correct. John Reinke, Rick Hager and David Drykerman are all at a management level within the LLC and are involved in managing the ongoing operations of the LLC. The managers listed on the registered information of the LLC, Frank Sivard and Phil Holdbrooks are managing directors. In essence, both are the managers of one of the 50% partners of the LLC known as TECO. Therefore, those managers listed on the applications only relate to actual operational managers while those listed in the registration of the LLC are individuals who control a large portion of the stock of the LLC and may not be as involved in day-to-day operations of the LLC.

I certainly hope this information has helped to clear up any of the outstanding issues we discussed earlier today. Please let me know as soon as possible if one of these issues is not clear or if any additional concerns arise. Additionally, please confirm with me by sometime next week that Litestream Technologies, LLC is slated to appear on the mid-October agenda for approval on both of the above referenced applications.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Drykerman', with a stylized flourish at the end.

David Drykerman
Director of Regulatory Affairs

Cc: Floyd Self, Esq.