

**COMMUNICATIONS TARIFF APPLICATION**

DATE PSC RECEIVED: 12/19/2023 2:55:11 PM

AUTHORITY NUMBER:  
T20230034

OFFICIAL FILING DATE: 8/16/2023 12:00:00 AM

PROCESSED BY: OPR SAMUEL DAY

COMPANY CODE: TY221

COMPANY NAME: BIF IV I Intrepid OpCo LLC

**A. SYNOPSIS**

- 1. ANTICIPATED EFFECTIVE DATE: 11/13/2023
- 2. IF DIFFERENT, COMPANY REQUESTED EFFECTIVE DATE:
- 3. DESCRIPTION OF THE FILING:

*Application for certificate to provide local telecommunications service by BIF IV Intrepid OpCo LLC.*

**B. ACTION TO BE TAKEN WITH THIS FILING**

- 1. TO BECOME EFFECTIVE \_A1\_ (A1 or A2)
- 2. PLACE ON COMMISSION AGENDA FOR DATE: 10/3/2023
- 3. RECOMMENDATION DUE DATE: 9/21/2023
- 4. DOCKET NO: 20230091
- 5. ORDER NO: PSC-2023-0310-PAA-TX

SUBJECT: NEWAP

**C. FINAL ACTION**

- 1. EFFECTIVE DATE: \_\_\_\_\_ PROTESTED? YES OR NO (CIRCLE ONE)
- 2. REVISION REPLACEMENTS? REQUESTED: \_\_\_\_\_ RECEIVED: \_\_\_\_\_
- 3. REVISION DISCREPANCIES:

4. COMMENTS: \_\_\_\_\_

5. REVISIED PAGES VERIFIED AGANIST E-TARIFF: \_\_\_\_\_

6. E-TARIFF UPDATED: \_\_\_\_\_

State of Florida



*Public Service Commission*

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** December 14, 2023  
**TO:** Lorena Hollett, Deputy Clerk II, Office of the Commission Clerk  
**FROM:** Debra Betton, Administrative Assistant III, Office of Industry Development and Market Analysis *db*  
**RE:** Inventory of Confidential Documents in Closed Dockets During November 2023

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Attached is a listing of confidential documents in dockets closed during the month of November 2023 identifying whether each document should be retained at the Commission or returned to the source.

All documents may be returned to the source.

If you have any questions regarding this report, please contact me.

RECEIVED-FPSC  
2023 DEC 14 PM 12:09  
COMMISSION  
CLERK

Attachment

cc: Mark A. Futrell (without attachment)  
Danyel Sims

**Florida Public Service Commission**  
**Inventory of Confidential Documents in Dockets Closed During (November 2023)**  
 Report Date : 4 -Dec -2023 at 3:23:17 PM

Document Confidential Status: Confidential claim per 364.183(1), F.S., Declassified - on appeal, Filed by OPC; awaiting co request, Filed by staff, NOI filed; awaiting request, Order issued, Order protested; awaiting ruling, Other, Req for ext of classification fld, Req forwarded to staff for recom, Staff recom fld; awaiting order, Undefined, under 3-yr retention, Under 5-year retention, Under Protective Order, Undocketed telecom co request - treated as claim Division: IDM

Search Result Total: 1 (Division/Office) -- 1 (Docket) -- 1 (Document)

 = Closed Docket

1	IDM #	Docket #	Title -- Office of Industry Development & Market Analysis	# Document	Date Filed	Lead OPR	Lead Staff/Att.	Conf. Status	Status Date	Description	Retain	Return	
	1	20230091-TX	Application for certificate to provide local telecommunications service by BIF IV Intrepid OpCo LLC.	1	04881-2023	08/21/2023	Day, Samuel	Sparks, Timothy	Confidential claim per 364.183(1), F.S.	08/21/2023	BIF IV (Ferenchak) - (CONFIDENTIAL) Corrected Exh D [to application]; financial information; includes highlighted and non-highlighted versions. [CLK note: This document replaces previously filed confidential DN 04838-2023 in its entirety.]	---	X

Search Result Total: 1 (Division/Office) -- 1 (Docket) -- 1 (Document)

RECEIVED-FPSC  
 2023 DEC 14 PM 12: 09  
 COMMISSION  
 CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide  
local telecommunications service by BIF IV  
Intrepid OpCo LLC.

DOCKET NO. 20230091-TX  
ORDER NO. PSC-2023-0336-CO-TX  
ISSUED: November 13, 2023

CONSUMMATING ORDER


BY THE COMMISSION:

By Order No. PSC-2023-0310-PAA-TX, issued October 18, 2023, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order, in regard to the above mentioned docket. It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-2023-0310-PAA-TX has become effective and final. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 13th day of November, 2023.



ADAM J. TEITZMAN  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

TPS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any judicial review of Commission orders that is available pursuant to Section 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

COMMISSIONERS:  
ANDREW GILES FAY, CHAIRMAN  
ART GRAHAM  
GARY F. CLARK  
MIKE LA ROSA  
GABRIELLA PASSIDOMO

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK  
ADAM J. TEITZMAN  
COMMISSION CLERK  
(850) 413-6770

# Public Service Commission

October 19, 2023

Brett P. Ferenchak  
BIF IV  
1111 Pennsylvania Ave., NW  
Washington, DC 20004

**Certified Mail**  
**Certified No. 7020 2450 0001 8211 2438**

**Re: Return of Confidential Document to the Source, Docket No. 20230091-TX**

Dear Mr. Ferenchak:

Commission staff has requested that confidential Document No. 04838-2023 be returned to the source. The document is enclosed.

Please do not hesitate to contact me should you have any questions concerning return of this material.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam J. Teitzman".

Adam J. Teitzman  
Commission Clerk

AJT: lhs  
Enclosure

RECEIVED - FPSC  
2023 OCT 19 AM 11:22  
COMMISSION  
CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide  
local telecommunications service by BIF IV  
Intrepid OpCo LLC.

DOCKET NO. 20230091-TX  
ORDER NO. PSC-2023-0310-PAA-TX  
ISSUED: October 18, 2023

The following Commissioners participated in the disposition of this matter:

ANDREW GILES FAY, Chairman  
ART GRAHAM  
GARY F. CLARK  
MIKE LA ROSA  
GABRIELLA PASSIDOMO

NOTICE OF PROPOSED AGENCY ACTION  
ORDER GRANTING CERTIFICATE OF AUTHORITY

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code (F.A.C.).

BIF IV Intrepid OpCo LLC (“BIF”) applied for a Certificate of Authority to provide telecommunications service, pursuant to Section 364.335, Florida Statutes (F.S.). Upon review of the application, it appears that BIF has sufficient technical, financial, and managerial capability to provide such service. Accordingly, we hereby grant to BIF Certificate of Authority No. 8986, which shall authorize BIF to provide telecommunications service throughout the State of Florida.

Telecommunications service providers are required to comply with all applicable provisions of Chapter 364, F.S., and Chapter 25-4, F.A.C.

In addition, under Section 364.336, F.S., certificate holders must pay a minimum annual Regulatory Assessment Fee (RAF) if the certificate was active during any portion of the calendar year. A RAF Return notice will be mailed each December to BIF for payment by January 30th. Neither the cancellation of its certificate nor the failure to receive a RAF Return notice shall relieve BIF from its obligation to pay its RAF.

If this Order becomes final and effective, it will serve as BIF's certificate. BIF shall retain this Order as proof of its certification. We are vested with jurisdiction over this matter pursuant to Sections 364.335 and 364.336, F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that BIF IV Intrepid OpCo LLC's application for a Certificate of Authority is hereby granted. It is further

ORDERED that BIF IV Intrepid OpCo LLC is awarded Certificate of Authority No. 8986, which authorizes BIF IV Intrepid OpCo LLC to provide telecommunications service throughout the State of Florida, subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as BIF IV Intrepid OpCo LLC certificate and shall be retained by BIF IV Intrepid OpCo LLC as proof of certification. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 18th day of October, 2023.



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ADAM J. TEITZMAN  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

TPS



NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on November 8, 2023.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

A) Application for Certificate of Authority to Provide  
Telecommunications Service.

DOCKET NO.	COMPANY NAME
20230091-TX	BIF IV Intrepid OpCo LLC

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PROCEEDINGS:                   COMMISSION CONFERENCE AGENDA  
ITEM NO. 1 - CONSENT AGENDA

COMMISSIONERS  
PARTICIPATING:               CHAIRMAN ANDREW GILES FAY  
COMMISSIONER ART GRAHAM  
COMMISSIONER GARY CLARK  
COMMISSIONER MIKE LA ROSA  
COMMISSIONER GABRIELLA PASSIDOMO

DATE:                            Tuesday, October 3, 2023

PLACE:                         Betty Easley Conference Center  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida

REPORTED BY:                 DEBRA R. KRICK  
Court Reporter and  
Notary Public in and for  
the State of Florida at Large

PREMIER REPORTING  
112 W. 5TH AVENUE  
TALLAHASSEE, FLORIDA  
(850) 894-0828

## 1 P R O C E E D I N G S

2 CHAIRMAN FAY: All right. Good morning,  
3 everyone. If you would like, you can join  
4 Commissioner Graham in the invocation and pledge  
5 before we begin our meeting this morning.

6 (Invocation and Pledge of Allegiance.)

7 CHAIRMAN FAY: All right. Thank you,  
8 Commissioner Graham. I know this issue is close to  
9 you, and I know we've all had family members  
10 impacted by cancer and we are thankful to have some  
11 facilities like Moffitt and others, there is  
12 probably a long list of them, but other entities in  
13 Florida that continue that battle, so thank you for  
14 letting us be a part of your recognition here this  
15 morning.

16 Commissioners, we will be taking up Items 1  
17 through 4 and 6 through 11 in move staff this  
18 morning. Item 5, without objection, is deferred.

19 We will move into Item No. 1, the Consent  
20 Agenda this morning, which is an application for  
21 certificate to provide local telecommunication  
22 service by BIF.

23 I will take a motion on the Consent Agenda.

24 COMMISSIONER CLARK: Move approval of the  
25 Consent Agenda item, Mr. Chairman.

1 COMMISSIONER GRAHAM: Second.

2 CHAIRMAN FAY: Okay. We have a motion and a  
3 second.

4 All that approve say aye.

5 (Chorus of ayes.)

6 CHAIRMAN FAY: Showing none opposed, show the  
7 Consent Agenda passed unanimously.

8 (Agenda item concluded.)

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CERTIFICATE OF REPORTER

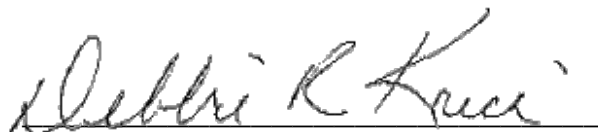
STATE OF FLORIDA )  
COUNTY OF LEON )

I, DEBRA KRICK, Court Reporter, do hereby  
certify that the foregoing proceeding was heard at the  
time and place herein stated.

IT IS FURTHER CERTIFIED that I  
stenographically reported the said proceedings; that the  
same has been transcribed under my direct supervision;  
and that this transcript constitutes a true  
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,  
employee, attorney or counsel of any of the parties, nor  
am I a relative or employee of any of the parties'  
attorney or counsel connected with the action, nor am I  
financially interested in the action.

DATED this 12th day of October, 2023.



DEBRA R. KRICK  
NOTARY PUBLIC  
COMMISSION #HH31926  
EXPIRES AUGUST 13, 2024

State of Florida



*Public Service Commission*

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

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**DATE:** October 10, 2023  
**TO:** Lorena Hollett, Commission Deputy Clerk II, Office of the Commission Clerk  
**FROM:** Debra Betton, Administrative Assistant III, Office of Industry Development and Market Analysis *db*  
**RE:** Monthly Inventory of Confidential Documents by Division/Office as of October 3, 2023

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I am in receipt of the listing of confidential documents as of October 3, 2023, identifying whether each document should be retained at the Commission or returned to the source.

The following documents should be returned to the source.

**Docket #20180000-OT**

Document 00945-2018

**Docket #20230091-TX**

Document 04838-2023

All other documents should be retained.

If you have any questions about this report, please contact me.

Attachment

cc: Mark A. Futrell (w/o attachment)  
Danyell Sims (attachment via email)

RECEIVED FPSC  
2023 OCT 10 AM 10:49  
COMMISSION  
CLERK

**Florida Public Service Commission**  
**Inventory of Confidential Documents by Responsible Division/Office**  
 Report Date : 3 - Oct - 2023 at 4:51:35 PM

Document File Begin Date: 10/1/2023 Document File End Date: 10/31/2023 Document Confidential Status Begin Date: 10/1/2023 Document Confidential Status End Date: 10/31/2023 Document Confidential Status: Confidential claim per 364.183(1), F.S., Declassified - on appeal. Filed by staff, awaiting co request. Filed by staff, NOI filed, awaiting request, Order issued, Order protested, awaiting ruling, Other, Req for ext of classification fld, Req forwarded to staff for recom, Staff recom fld, awaiting order, Undefined, under 3-yr retention, Under 5-year retention, Under Protective Order, Undocketed telecom co request - treated as claim Division: IDM

Search Result Total: 1 (Division/Office) -- 9 (Docket) -- 101 (Document)

1	IDM #	Docket #	Title -- Office of Industry Development & Market Analysis	#	Document	Date Filed	Lead OPR	Lead Staff/Att.	Conf. Status	Status Date	Description	Retain	Return
	1	20180000-OT	Undocketed filings for 2018.	1	00945-2018	02/05/2018	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	02/05/2018	Global (Martin) - (CONFIDENTIAL) Quarterly lifeline report for Q4 2017, pursuant to Rule 25-4.0665(20), FAC.	---	X
	2	20210000-OT	Undocketed filings for 2021.	1	02999-2021	03/22/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	03/22/2021	Intrado - (CONFIDENTIAL) Response to 2021 CLEC questionnaire. (TX607)	X	---
				2	03060-2021	03/25/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	03/25/2021	WOW! (Otto) - (CONFIDENTIAL) Response to 2021 CLEC questionnaire. (TX215)	X	---
				3	03100-2021	03/29/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	03/29/2021	MCImetro (Chesney) - (CONFIDENTIAL) FCC Form 477. (TA005)	X	---
				4	03192-2021	04/01/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/06/2021	XO (Adams) - (CONFIDENTIAL) FCC Form 477 for 12/31/21, in response to 2020 CLEC questionnaire. (TX205)	X	---
				5	03248-2021	04/06/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/08/2021	Matrix - (CONFIDENTIAL) [Florida] specific portion of FCC Form 477 and CLEC data request questionnaire.	X	---
				6	03278-2021	04/07/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/08/2021	Terra Nova (Bucci) - (CONFIDENTIAL) Response [to CLEC Questionnaire (TX791)].	X	---
				7	03280-2021	04/07/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/08/2021	Communications Authority (Bucci) - (CONFIDENTIAL) Response [to CLEC Questionnaire (TY058)].	X	---
				8	03431-2021	04/13/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/15/2021	AT&T Florida (Sirianni) - (CONFIDENTIAL) Response to 2021 CLEC questionnaire. (TX031)	X	---
				9	03433-2021	04/13/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/15/2021	AT&T Florida (Sirianni) - (CONFIDENTIAL) Response to 2021 CLEC questionnaire. (TL720)	X	---
				10	03435-2021	04/13/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/15/2021	AT&T Corp.; Teleport (Sirianni) - (CONFIDENTIAL) Response to 2021 CLEC questionnaire. (TA062; TA085)	X	---

							F.S.						
				11	03453-2021	04/14/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/15/2021	Cox (Lawrence) - (CONFIDENTIAL) FCC Form 477 in response to 2021 CLEC questionnaire. (TA027)	✗	---
				12	03497-2021	04/15/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/19/2021	Level 3; Broadwing; Global Crossing; TelCove (Mason) - (CONFIDENTIAL) Response to 2021 CLEC data request. (TX238; TA013; TX804; TX176; TX912)	✗	---
				13	03499-2021	04/15/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/19/2021	CenturyLink (Mason) - (CONFIDENTIAL) Response to 2021 CLEC data request. (TX273)	✗	---
				14	03501-2021	04/15/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/19/2021	CenturyLink (Mason) - (CONFIDENTIAL) Response to 2021 ILEC data request. (TL727)	✗	---
				15	03529-2021	04/16/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/19/2021	Atlantic Broadband - (CONFIDENTIAL) Response to 2021 CLEC data request. (TY137)	✗	---
				16	03541-2021	04/16/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/19/2021	Frontier Communications (Douglass) - (CONFIDENTIAL) Response to 2021 ILEC questionnaire. (TL710; TL732)	✗	---
				17	03589-2021	04/20/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/23/2021	MCC Telephony (Sokolin-Maimon) - (CONFIDENTIAL) FCC Form 477 in response to 2021 CLEC questionnaire. (TX842)	✗	---
				18	03621-2021	04/21/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/23/2021	Comcast Phone (Self) - (CONFIDENTIAL) Response to 2021 CLEC data request. (TX576)	✗	---
				19	03624-2021	04/21/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/23/2021	TDS Telecom (McCabe) - (CONFIDENTIAL) Response to 2020 CLEC questionnaire and FCC Form 477.	✗	---
				20	03742-2021	04/28/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/30/2021	Crown Castle (Hilb) - (CONFIDENTIAL) Response to 2021 CLEC questionnaire. (TY152)	✗	---
				21	03843-2021	05/03/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	05/04/2021	RCLEC (Coffman) - (CONFIDENTIAL) Response to 2021 CLEC questionnaire (TY062).	✗	---
				22	03845-2021	05/03/2021	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	05/04/2021	NEFCOM (Custer) - (CONFIDENTIAL) Response to 2021 ILEC questionnaire. (TL715)	✗	---
				23	04108-2021	05/17/2021	No Lead	No Lead	Confidential claim per	05/19/2021	Smart Choice (Isar) - (CONFIDENTIAL) FCC	✗	---



						OPR	Staff	364.183(1), F.S.		Form 477. (TY176)		
3	20210013-TX	Application for designation as an eligible telecommunications carrier to receive rural digital opportunity fund auction (Auction 904) support for voice and broadband services and request for expedited consideration, by Bright House Networks Information Services (Florida), LLC.	1	02735-2021	03/10/2021	Deas, Sakina	Murphy, Charles	Confidential claim per 364.183(1), F.S.	03/10/2021	Bright House (Keating) - (CONFIDENTIAL) Response to staff's request for information regarding long form application (Form 683) for Florida that was submitted to the FCC.	X	---
4	20220000-OT	Undocketed filings for 2022.	1	01986-2022	03/18/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	03/18/2022	WOW! (Otto) - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TX215)	X	---
			2	02073-2022	03/24/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	03/28/2022	AT&T Florida - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TL720)	X	---
			3	02075-2022	03/24/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	03/28/2022	AT&T Corp.; Teleport - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TA062; TA085)	X	---
			4	02077-2022	03/24/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	03/28/2022	AT&T Florida - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TX031)	X	---
			5	02171-2022	03/31/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/04/2022	Communications Authority (Ray) - (CONFIDENTIAL) Response to 2022 CLEC data request. (TY058)	X	---
			6	02173-2022	03/31/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/04/2022	Terra Nova (Ray) - (CONFIDENTIAL) Response to 2022 CLEC data request. (TX791)	X	---
			7	02228-2022	04/01/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/04/2022	TDS (McCabe) - (CONFIDENTIAL) Specific sections of response to 2020 local competition report data request; information regarding business plans; FCC Form 477.	X	---
			8	02235-2022	04/04/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/04/2022	Verizon Access (Chesney) - (CONFIDENTIAL) Response to 2022 CLEC data request. (TA005)	X	---
			9	02329-2022	04/08/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/11/2022	Intrado - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TX607)	X	---
			10	02385-2022	04/13/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/13/2022	Comcast Phone (Self) - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TX576)	X	---
						No		Confidential				

				11	02387-2022	04/13/2022	Lead OPR	No Lead Staff	claim per 364.183(1), F.S.	04/13/2022	Cox (Lawrence) - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TA027)	X	---
				12	02390-2022	04/13/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/13/2022	Matrix - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TX841)	X	---
				13	02424-2022	04/14/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/14/2022	XO (Adams) - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TX205)	X	---
				14	02428-2022	04/14/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/14/2022	Crown Castle (Self) - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TY152)	X	---
				15	02466-2022	04/15/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/15/2022	Atlantic - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TY137)	X	---
				16	02469-2022	04/15/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/15/2022	Frontier; Frontier Communications (Douglass) - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TL710; TL732)	X	---
				17	02472-2022	04/15/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/15/2022	Level 3; Broadwing; Global Crossing; TelCove (Mason) - (CONFIDENTIAL) Response to 2022 CLEC data request. (TX238; TA013; TX804; TX176; TX912)	X	---
				18	02474-2022	04/15/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/15/2022	Embarq (Mason) - (CONFIDENTIAL) Response to 2022 CLEC data request. (TX273)	X	---
				19	02476-2022	04/15/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/15/2022	CenturyLink (Mason) - (CONFIDENTIAL) Response to 2022 ILEC data request. (TL727)	X	---
				20	02508-2022	04/18/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/18/2022	RCLEC (Coffman) - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. (TY062)	X	---
				21	02510-2022	04/18/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/18/2022	Allstream - (CONFIDENTIAL) Response to 2022 CLEC questionnaire. [(TY197)]	X	---
				22	02817-2022	05/05/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	05/05/2022	NEFCOM (Souza) - (CONFIDENTIAL) Response to 2022 ILEC questionnaire. [TL715]	X	---
				23	04778-2022	07/18/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	07/20/2022	WOW! (McCollough) - (CONFIDENTIAL) Attachment 1 to response to lifeline/linkup data request.	X	---

			24	05405-2022	08/11/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	08/15/2022	Windstream FL (Loken) - (CONFIDENTIAL) Response to 2022 annual lifeline data request.	X	---
			25	05420-2022	08/12/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	08/12/2022	i-wireless (Roberts) - (CONFIDENTIAL) Exhs A and B in response to 2022 annual lifeline data request.	X	---
			26	05578-2022	08/22/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	08/23/2022	Assurance Wireless (Self) - (CONFIDENTIAL) Customer information provided in lifeline claims worksheet reports.	X	---
			27	05580-2022	08/22/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	08/23/2022	Bright House (Self) - (CONFIDENTIAL) Highlighted customer information provided in lifeline claims worksheet reports.	X	---
			28	05582-2022	08/22/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	08/23/2022	T-Mobile (Self) - (CONFIDENTIAL) Customer information provided in FCC Form 497 reports [regarding lifeline data request].	X	---
			29	05640-2022	08/24/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	08/25/2022	Assurance Wireless (Self) - (CONFIDENTIAL) Additional responsive information requested by staff as part of annual lifeline data request; information in FCC lifeline claims worksheets; customer information.	X	---
			30	07396-2022	09/20/2022	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	09/21/2022	Assurance Wireless (Self) - (CONFIDENTIAL) Additional responsive information requested by staff as part of annual lifeline data request; information in FCC lifeline claims worksheets; customer information.	X	---
5	20230000-OT	Undocketed filings for 2023.	1	02598-2023	04/11/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/12/2023	Verizon Access (Burriss) - (CONFIDENTIAL) FCC filing data. (TA005)	X	---
			2	02600-2023	04/11/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/12/2023	Cox (McLaughlin) - (CONFIDENTIAL) FCC Form 477 in response to 2023 CLEC questionnaire. (TA027)	X	---
			3	02602-2023	04/11/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/12/2023	XO (Adams) - (CONFIDENTIAL) Response to question No. 1, in response to [2023] CLEC questionnaire. (TX205)	X	---
			4	02618-2023	04/11/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/12/2023	Comcast Phone (Self) - (CONFIDENTIAL) Response to 2023 CLEC questionnaire. (TX576)	X	---
			5	02632-2023	04/12/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/13/2023	Terra Nova (Ray) - (CONFIDENTIAL) Response to 2022 local competition report data request. (TX791)	X	---
						No		Confidential		Communications Authority (Ray) -		

				6	02634-2023	04/12/2023	Lead OPR	No Lead Staff	claim per 364.183(1), F.S.	04/13/2023	(CONFIDENTIAL) Response to 2022 local competition report data request. (TY058)	X	---
				7	02636-2023	04/12/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/13/2023	Intrado - (CONFIDENTIAL) Specific portion of FCC [Form] 477 and Florida CLEC data request questionnaire. (TX607; TX544)	X	---
				8	02654-2023	04/13/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/17/2023	Crown Castle (Hilb) - (CONFIDENTIAL) Response to 2022 CLEC data request. (TY152)	X	---
				9	02660-2023	04/13/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/17/2023	AT&T Florida - (CONFIDENTIAL) Response to 2023 ILEC questionnaire. (TL720)	X	---
				10	02663-2023	04/13/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/17/2023	AT&T Corp.; Teleport - (CONFIDENTIAL) Response to 2023 CLEC questionnaire. (TA062; TA085)	X	---
				11	02666-2023	04/13/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/17/2023	AT&T Florida - (CONFIDENTIAL) Response to 2023 CLEC questionnaire. (TX031)	X	---
				12	02678-2023	04/14/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/17/2023	Lingo - (CONFIDENTIAL) Florida specific portion of FCC [Form] 477 and the Florida CLEC data request questionnaire; customer information. (TX841)	X	---
				13	02710-2023	04/17/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/18/2023	RCLEC (Presing) - (CONFIDENTIAL) Response to 2023 local competition report data request; 2023 CLEC questionnaire.	X	---
				14	02720-2023	04/17/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/18/2023	NEFCOM (Souza) - (CONFIDENTIAL) Response to 2023 ILEC questionnaire. [TL715]	X	---
				15	02725-2023	04/17/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/18/2023	TDS (McCabe) - (CONFIDENTIAL) Specific sections of response to 2023 local competition report data request; information regarding business plans; FCC Form 477.	X	---
				16	02729-2023	04/17/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/18/2023	Frontier Florida; Frontier Communications (Douglass) - (CONFIDENTIAL) Response to 2023 CLEC questionnaire. (TL710; TL732)	X	---
				17	02731-2023	04/17/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/18/2023	CenturyLink (Mason) - (CONFIDENTIAL) Response to 2023 ILEC data request. (TL727)	X	---
				18	02733-2023	04/17/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/18/2023	Level 3 Communications; Level 3 Telecom; Broadwing; Global Crossing; TelCove (Mason) - (CONFIDENTIAL) Response to 2023 CLEC data request. (TX238; TA013; TX804; TX176;	X	---

									TX912)			
			19	02735-2023	04/17/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/18/2023	CenturyLink (Mason) - (CONFIDENTIAL) Response to 2023 ILEC data request. (TX273)	X	---
			20	02755-2023	04/18/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/24/2023	Breezeline - (CONFIDENTIAL) Response to 2023 CLEC data request questionnaire. (TY137)	X	---
			21	02767-2023	04/19/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/24/2023	Windstream FL (West) - (CONFIDENTIAL) Response to 2023 ILEC questionnaire. (TL716)	X	---
			22	02829-2023	04/24/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/25/2023	Allstream - (CONFIDENTIAL) Response to 2023 CLEC questionnaire. [TY197]	X	---
			23	02838-2023	04/24/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/25/2023	NEFCOM (Souza) - (CONFIDENTIAL) Response to 2023 local competition report data request. [TL715]	X	---
			24	02840-2023	04/24/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/25/2023	NEFCOM (Souza) - (CONFIDENTIAL) Response to 2023 ILEC data request. (TL715)	X	---
			25	02842-2023	04/24/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	04/25/2023	Frontier Florida; Frontier Communications (Douglass) - (CONFIDENTIAL) Supplemental documents for the local competition report data request, pursuant to Rule 25-2.006(5)(a), FAC. [TL710; TX624; TL732]	X	---
			26	03827-2023	06/27/2023	No Lead OPR	No Lead Staff	Other	06/27/2023	Consolidated Communications (Westman) - (CONFIDENTIAL) 2023 CAF-ICC data collection showing projected eligibility for CAF-ICC funding that NECA has submitted to the FCC and USAC on behalf of Consolidated Communications.	X	---
			27	03963-2023	07/07/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	07/07/2023	Smart City (Means) - (CONFIDENTIAL) Certain documents associated with CAF-ICC recovery mechanism; provided on CD.	X	---
			28	04139-2023	07/19/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	07/19/2023	WOW! (McCollough) - (CONFIDENTIAL) Response to the Commission's lifeline/link-up data request.	X	---
			29	04310-2023	07/27/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1), F.S.	07/27/2023	i-wireless (Sears) - (CONFIDENTIAL) Quarterly lifeline report for Q2-2023, in accordance with Rule 25-4.0665(20), FAC.	X	---
			30	04442-2023	08/01/2023	No Lead OPR	No Lead Staff	Confidential claim per 364.183(1),	08/01/2023	Windstream FL (Loken) - (CONFIDENTIAL) Response to annual 2023 lifeline data request.	X	---

									F.S.				
									Confidential claim per 364.183(1), F.S.	08/14/2023	Conexon (Koval) - (CONFIDENTIAL) Annual 2023 lifeline data request responses.	X	---
									Confidential claim per 364.183(1), F.S.	08/16/2023	i-wireless (Sears) - (CONFIDENTIAL) Responses to 2023 annual lifeline data request.	X	---
									Confidential claim per 364.183(1), F.S.	08/16/2023	Bright House (Self) - (CONFIDENTIAL) Highlighted information provided in 2023 lifeline data request response; customer information.	X	---
									Confidential claim per 364.183(1), F.S.	08/23/2023	Assurance Wireless (Self) - (CONFIDENTIAL) Additional responsive information requested by staff as part of annual lifeline data request; information in FCC lifeline claims worksheets; customer information.	X	---
									Confidential claim per 364.183(1), F.S.	08/23/2023	T-Mobile (Self) - (CONFIDENTIAL) Customer information provided in FCC Form 497 reports for 7/22 through 11/22 [regarding lifeline data request].	X	---
									Confidential claim per 364.183(1), F.S.	09/11/2023	Assurance Wireless (Self) - (CONFIDENTIAL) Additional responsive information requested by staff as part of annual lifeline data request; information in FCC lifeline claims worksheets in response to question 3; customer information.	X	---
6	20230026-TX	Application for certificate to provide local telecommunications service by CNS Networks LLC.	1	01026-2023	02/09/2023	Deas, Sakina	Imig, Jacob		Confidential claim per 364.183(1), F.S.	02/14/2023	CNS (Burt) - (CONFIDENTIAL) Exhibit C to application for certificate to provide telecommunications service; financial information. [CLK note: See confidential DN 03169-2023 for financial statements provided as a supplement to Exh C to application.]	X	---
			2	03169-2023	05/11/2023	Deas, Sakina	Imig, Jacob		Confidential claim per 364.183(1), F.S.	05/12/2023	CNS (Burt) - (CONFIDENTIAL) Financial statements provided as supplement to confidential Exh C [DN 01026-2023] to application [DN 01009-2023].	X	---
7	20230034-TX	Application for certificate to provide local telecommunications service by Skywire, LLC.	1	02216-2023	03/14/2023	Day, Samuel	Sparks, Timothy		Confidential claim per 364.183(1), F.S.	03/14/2023	Skywire (Marshall) - (CONFIDENTIAL) Financial information, Exh C to application for certificate to provide local telecommunications service; financial information.	X	---
			2	02765-2023	04/19/2023	Day, Samuel	Sparks, Timothy		Confidential claim per 364.183(1), F.S.	04/19/2023	Skywire (Marshall) - (CONFIDENTIAL) Financial information; supplement to Exh C to the application to provide local telecommunications service [DN 02215-2023].	X	---
			3	04023-2023	07/11/2023	Day, Samuel	Sparks, Timothy		Confidential claim per 364.183(1), F.S.	07/11/2023	Skywire (Marshall) - (CONFIDENTIAL) Financial information; includes projected statements of parent company, Skywire Holdings, LLC; supplement to Exh C to the application to provide local telecommunications service [DN 02215-2023]. Information also	X	---

										provided on a flash drive [x-ref DN 04099-2023].		
			4	04099-2023	07/17/2023	Day, Samuel	Sparks, Timothy	Confidential claim per 364.183(1), F.S.	07/17/2023	Skywire (Marshall) - (CONFIDENTIAL) Flash drives containing financial information requested by staff; financial information; supplement to Exh C to the application to provide local telecommunications service [DN 02215-2023; x-ref DN 04023-2023].	X	---
			5	04359-2023	07/28/2023	Day, Samuel	Sparks, Timothy	Confidential claim per 364.183(1), F.S.	07/28/2023	Skywire (Marshall) - (CONFIDENTIAL) Financial information; includes information regarding parent company, Skywire Holdings, LLC; supplement to Exh C to the application to provide local telecommunications service [DN 02215-2023].	X	---
8	20230080-TA	Petition for expedited review of NXX-X code denial by North American Numbering Plan Administration for Brooksville rate center, by Teleport Communications America, LLC - FL.	1	03875-2023	06/29/2023	Deas, Sakina	Sparks, Timothy	Confidential claim per 364.183(1), F.S.	06/29/2023	TCAL (Hatch) - (CONFIDENTIAL) Certain information contained in Attachments 1-3 to AT&T Florida's petition for expedited review of growth code denial; business information.	X	---
9	20230091-TX	Application for certificate to provide local telecommunications service by BIF IV Intrepid OpCo LLC.	1	04838-2023	08/17/2023	Day, Samuel	Sparks, Timothy	Confidential claim per 364.183(1), F.S.	08/17/2023	BIF IV (Ferenchak) - (CONFIDENTIAL) Exh D [to application]; financial information; includes original and highlighted versions. [CLK note: See confidential DN 04881-2023 which replaces this confidential document in its entirety.]	---	X
			2	04881-2023	08/21/2023	Day, Samuel	Sparks, Timothy	Confidential claim per 364.183(1), F.S.	08/21/2023	BIF IV (Ferenchak) - (CONFIDENTIAL) Corrected Exh D [to application]; financial information; includes highlighted and non-highlighted versions. [CLK note: Replaces previously filed confidential DN 04838-2023 in its entirety.]	X	---

Search Result Total: 1 (Division/Office) -- 9 (Docket) -- 101 (Document)

FLORIDA PUBLIC SERVICE COMMISSION

Item 1

VOTE SHEET

October 3, 2023

FILED 10/3/2023  
DOCUMENT NO. 05468-2023  
FPSC - COMMISSION CLERK

Consent Agenda

A) Application for Certificate of Authority to Provide Telecommunications Service.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
20230091-TX	BIF IV Intrepid OpCo LLC

B) Docket No. 20230088-EI - Application for authority to issue and sell securities during calendar years 2024 and 2025, pursuant to Section 366.04, F.S., and Chapter 25-8, F.A.C., by Florida Power & Light Company and Florida City Gas.

**Recommendation:** The Commission should approve the actions requested in the dockets referenced above and close Docket No. 20230091-TX. For monitoring purposes, Docket No. 20230088-EI should remain open until May 2, 2025, to allow the Company time to file the required Consummation Report.

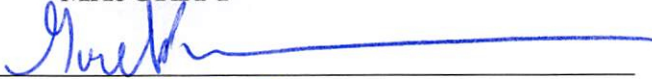
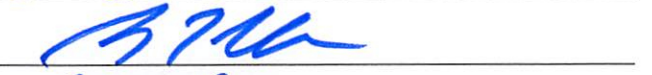
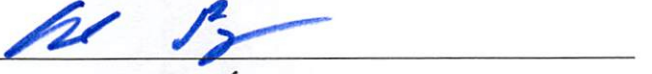


**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

REMARKS/DISSENTING COMMENTS:



State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** September 21, 2023

**TO:** Office of Commission Clerk (Teitzman)

**FROM:** Office of Industry Development and Market Analysis (Day, Fogleman) *CH*  
Office of the General Counsel (Sparks, Marquez) *AEH*

**RE:** Application for Certificate of Authority to Provide Telecommunications Service

**AGENDA:** 10/3/2023 - Consent Agenda - Proposed Agency Action - Interested Persons May Participate

**SPECIAL INSTRUCTIONS:** None

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Please place the following Application for Certificate of Authority to Provide Telecommunications Service on the consent agenda for approval.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CERT. NO.</u>
20230091-TX	BIF IV Intrepid OpCo LLC	8986

The Commission is vested with jurisdiction in this matter pursuant to Section 364.335, Florida Statutes. Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee if the certificate is active during any portion of the calendar year. A Regulatory Assessment Fee Return Notice will be mailed each December to the entity listed above for payment by January 30.

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** September 1, 2023

**TO:** Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

**FROM:** Samuel Day, Public Utility Analyst II, Office of Industry Development & Market Analysis *SD*

**RE:** Docket No. 20230091-TX – Application for certificate to provide local telecommunications service by BIF IV Intrepid OpCo LLC.

---

Attached includes information requested of BIF IV Intrepid OpCo LLC that supplements Exhibit D. Unlike Exhibit D, this document is not confidential. Please add to docket file.

If you have any questions, please contact me at 850-413-6504.

RECEIVED-FPSC  
2023 SEP -1 AM 10:41  
COMMISSION  
CLERK

DOCKET NO. 20230091-TX  
BIF IV Intrepid OpCo LLC ("Intrepid")  
Response to Staff Inquiry  
Dated: September 1, 2023

**1. What year is your company expected to see a positive Net Income?**

Response: Intrepid does not see positive Net Income on the immediate horizon. Intrepid's build plan includes investment in ongoing construction through 2030 and the correspondingly there will be significant depreciation and amortization. Intrepid could possibly see Net Income flip positive in 2029 or 2030 depending on build timing and customer ramps.

**2. What year is your company expected to see a positive Income from Operations?**

Response: 2027

**3. Explain why, in the 4 year pro forma, Depreciation and Amortization is positive in the Statement of Cash Flows but negative in the Income Statement.**

Response: Depreciation and Amortization is positive in the statement of cash flow and negative in the income statement in all years. The indirect method is used (add/subtract differences resulting from non-cash transactions) to find total cash. The cash associated with the Depreciation and Amortization was already spend in prior years via the capital expenditures.

**4. It appears that the data you provided relating to total assets and total liabilities from the pro forma Financial Statements for 2023 does not match the data from the "Balance Sheet As of December 31, 2023." Please Explain the differences.**

Response: Pro Forma Financial Statements are forecasted through year end. 2023 financial statements are actuals YTD (when pulled in July) and were mislabeled as December 2023 because the report pulled all of 2023 as of the report date.

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** September 1, 2023

**TO:** Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

**FROM:** Samuel Day, Public Utility Analyst II, Office of Industry Development & Market Analysis *SD*

**RE:** Docket No. 20230091-TX – Application for certificate to provide local telecommunications service by BIF IV Intrepid OpCo LLC.

---

Attached includes evidence of BIF IV Intrepid OpCo LLC's authority to transact business in Florida. This attached document replaces Exhibit A in the company's application. Please add to docket file.

If you have any questions, please contact me at 850-413-6504.

RECEIVED-FPSC  
2023 SEP -1 AM 10:41  
COMMISSION  
CLERK

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the reinstatement documents filed by BIF IV INTREPID OPCO LLC, a Delaware limited liability company, authorized to transact business within the state of Florida on December 20, 2021, as shown by the records of this office.

The document number of this limited liability company is M21000017350.



Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this the  
Twenty-ninth day of August, 2023



Cord Byrd  
Secretary of State

**2023 FOREIGN LIMITED LIABILITY COMPANY REINSTATEMENT**

DOCUMENT# M21000017350

**Entity Name:** BIF IV INTREPID OPCO LLC

**Current Principal Place of Business:**

11001 WEST 120TH AVE  
SUITE 305  
BROOMFIELD, CO 80021

**Current Mailing Address:**

11001 WEST 120TH AVE  
SUITE 305  
BROOMFIELD, CO 80021 US

**FEI Number:** 87-3657826

**Certificate of Status Desired:** No

**Name and Address of Current Registered Agent:**

C T CORPORATION SYSTEM  
1200 SOUTH PINE ISLAND ROAD  
PLANTATION FL 33324 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

SIGNATURE: DENISE BELL

08/25/2023

Electronic Signature of Registered Agent

Date

**Authorized Person(s) Detail :**

Title AUTHORIZED REPRESENTATIVE  
Name VOSS, ERIC  
Address 11001 WEST 120TH AVE  
SUITE 305  
City-State-Zip: BROOMFIELD CO 80021

Title AUTHORIZED REPRESENTATIVE  
Name SPINKS, ELENA  
Address 11001 WEST 120TH AVE  
SUITE 305  
City-State-Zip: BROOMFIELD CO 80021

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes, and that my name appears above, or on an attachment with all other like empowered.*

SIGNATURE: ERIC VOSS

AUTHORIZED  
REPRESENTATIVE

08/25/2023

Electronic Signature of Signing Authorized Person(s) Detail

Date

## Detail by Document Number

Foreign Limited Liability Company  
BIF IV INTREPID OPCO LLC

### Filing Information

**Document Number** M21000017350  
**FEI/EIN Number** 87-3657826  
**Date Filed** 12/20/2021  
**State** DE  
**Status** ACTIVE  
**Last Event** REINSTATEMENT  
**Event Date Filed** 08/25/2023

### Principal Address

11001 WEST 120TH AVE  
 SUITE 305  
 BROOMFIELD, CO 80021

Changed: 08/25/2023

### Mailing Address

11001 WEST 120TH AVE  
 SUITE 305  
 BROOMFIELD, CO 80021

Changed: 08/25/2023

### Registered Agent Name & Address

C T CORPORATION SYSTEM  
 1200 SOUTH PINE ISLAND ROAD  
 PLANTATION, FL 33324

Name Changed: 08/25/2023

### Authorized Person(s) Detail

#### **Name & Address**

Title Authorized Representative

VOSS, ERIC  
 11001 WEST 120TH AVE  
 SUITE 305  
 BROOMFIELD, CO 80021

Title Authorized Representative

SPINKS, ELENA  
 11001 WEST 120TH AVE  
 SUITE 305  
 BROOMFIELD, CO 80021

### Annual Reports

Report Year	Filed Date
2022	08/25/2023
2023	08/25/2023

### Document Images

<a href="#">08/25/2023 -- REINSTATEMENT</a>	<a href="#">View image in PDF format</a>
<a href="#">12/20/2021 -- Foreign Limited</a>	<a href="#">View image in PDF format</a>

# Morgan Lewis

**Russell M. Blau**  
**Brett P. Ferenchak**  
**Trina Kwon**

russell.blau@morganlewis.com  
brett.ferenchak@morganlewis.com  
trina.kwon@morganlewis.com

August 18, 2023

**Via Federal Express**

Adam Teitzman, Commission Clerk  
Florida Public Service Commission  
Gerald Gunter Building  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399

RECEIVED-FPSC  
2023 AUG 21 AM 10:28  
COMMISSION  
CLERK

**Re: Docket No. 20230091-TX: Application of BIF IV Intrepid OpCo LLC for Authority to Provide Telecommunications Services Within the State of Florida**

**SUPPLEMENT**

Dear Mr. Teitzman:

On behalf of BIF IV Intrepid OpCo LLC ("Applicant" or "Intrepid"), enclosed for association with the above referenced application is one (1) copy of the corrected highlighted **Confidential Exhibit D** (Financial Information) which shows the specific information that Applicant considers to be Privileged and Confidential and one (1) copy of the corrected non-highlighted **Confidential Exhibit D**, pursuant to FL Admin Code Section 25-22.006, which is being filed under seal. This corrected copy replaces the previously filed confidential information (DN 04838-2023), that was inadvertently labeled as Confidential Exhibit C, in its entirety. Exhibit C to the Application provides information on Applicant's managerial and technical qualifications and is not confidential.

Please acknowledge receipt and date-stamp the enclosed extra copy this letter transmitting return it in the envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact the undersigned at (202) 739-3000.

Respectfully submitted,



Russell M. Blau  
Brett P. Ferenchak  
Trina Kwon

*Counsel for BIF IV Intrepid OpCo LLC*

**Morgan, Lewis & Bockius LLP**  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
United States

📞 +1.202.739.3000  
📠 +1.202.739.3001



**FINANCIAL STATEMENT AFFIRMATION**

The undersigned Chief Financial Officer for BIF IV Intrepid OpCo LLC (the "Company") affirms that, to the best of my knowledge, information, and belief, the unaudited balance statement provided on behalf of the Company as Exhibit D to the Application for a Authority to Provide Telecommunications Service is accurate in in all material respects.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14<sup>th</sup> day of July, 2023.

*Tim Bruny*

---

Name: Tim Bruny  
Title: Chief Financial Officer  
BIF IV Intrepid OpCo LLC

CK#: 1550652  
Amnt: \$500.00

FILED 8/18/2023  
DOCUMENT NO. 04862-2023  
FPSC - COMMISSION CLERK

DKT: 20230091

CONFIDENTIAL VERSION

74

# Morgan Lewis

**Russell M. Blau**  
**Brett P. Ferenchak**  
**Trina Kwon**  
russell.blau@morganlewis.com  
brett.ferenchak@morganlewis.com  
trina.kwon@morganlewis.com

Deposit Date  
AUG 18 2023

Deposit Number  
000671

RECEIVED-FPSC  
DATE - STAMP & RETURN  
2023 AUG 18 AM 9:21

COMMISSION  
CLERK

August 16, 2023

**Via E-Filing & Federal Express**

Adam Teitzman, Commission Clerk  
Florida Public Service Commission  
Gerald Gunter Building  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399

**Re: Application of BIF IV Intrepid OpCo LLC for Authority to Provide  
Telecommunications Services Within the State of Florida**

Dear Mr. Teitzman:

Attached for electronic filing with the Commission is the public version of the above-referenced Application of BIF IV Intrepid OpCo LLC ("Applicant" or "Intrepid"). Pursuant to Sections 364.183(1) and 364.183(3), Florida Statutes, Applicant respectfully requests confidential treatment of the financial information provided as **Confidential Exhibit D** to the Application. Applicant, therefore, submits two (2) paper copies of **Confidential Exhibit D** under seal. Pursuant to FL Admin Code Section 25-22.006, one copy of **Confidential Exhibit D** has been highlighted to show the specific information that Applicant considers to be Privileged and Confidential. A check in the amount of \$500 is enclosed for the filing fee.

Applicant previously held Certificate No. 8971 to provide telecommunications services in Florida and was assigned Company Code: TY206. As detailed in response to Question 7(e) of the enclosed Application, Intrepid's Certificate was cancelled effective May 24, 2023, for failure to timely pay the Regulatory Assessment Fee ("RAF"). This Application seeks a new certificate to replace that cancelled certificate. Intrepid paid the RAF and associated penalties on June 28, 2023.

Please acknowledge receipt of the electronic copy and date-stamp the enclosed extra copy this letter transmitting the filing fee and Confidential Exhibit and return it in the envelope

**Morgan, Lewis & Bockius LLP**

1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
United States

+1.202.739.3000  
+1.202.739.3001

~~CONFIDENTIAL VERSION~~

# Morgan Lewis

AT 8/17/23  
Per discussion with files.

**Russell M. Blau**  
**Brett P. Ferenchak**  
**Trina Kwon**  
russell.blau@morganlewis.com  
brett.ferenchak@morganlewis.com  
trina.kwon@morganlewis.com

August 16, 2023

**Via E-Filing & Federal Express**

Adam Teitzman, Commission Clerk  
Florida Public Service Commission  
Gerald Gunter Building  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399

RECEIVED-FPSC  
2023 AUG 17 AM 11:02  
COMMISSION  
CLERK

DK# 20230091

**Re: Application of BIF IV Intrepid OpCo LLC for Authority to Provide Telecommunications Services Within the State of Florida**

Dear Mr. Teitzman:

Attached for electronic filing with the Commission is the public version of the above-referenced Application of BIF IV Intrepid OpCo LLC ("Applicant" or "Intrepid"). Pursuant to Sections 364.183(1) and 364.183(3), Florida Statutes, Applicant respectfully requests confidential treatment of the financial information provided as **Confidential Exhibit D** to the Application. Applicant, therefore, submits two (2) paper copies of **Confidential Exhibit D** under seal. Pursuant to FL Admin Code Section 25-22.006, one copy of **Confidential Exhibit D** has been highlighted to show the specific information that Applicant considers to be Privileged and Confidential. A check in the amount of \$500 is enclosed for the filing fee.

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Please acknowledge receipt of the electronic copy and date-stamp the enclosed extra copy this letter transmitting the filing fee and Confidential Exhibit and return it in the envelope

**Morgan, Lewis & Bockius LLP**

1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
United States

T +1.202.739.3000  
F +1.202.739.3001

Adam Teitzman, Commission Clerk  
August 16, 2023  
Page 2

provided. Should you have any questions concerning this filing, please do not hesitate to contact the undersigned at (202) 739-3000.

Respectfully submitted,



Russell M. Blau  
Brett P. Ferenchak  
Trina Kwon

*Counsel for BIF IV Intrepid OpCo LLC*

### FINANCIAL STATEMENT AFFIRMATION

The undersigned Chief Financial Officer for BIF IV Intrepid OpCo LLC (the "Company") affirms that, to the best of my knowledge, information, and belief, the unaudited balance statement provided on behalf of the Company as Exhibit D to the Application for a Authority to Provide Telecommunications Service is accurate in in all material respects.

I declare under penalty of perjury that the foregoing is true and correct. Executed this  
14<sup>th</sup> day of July, 2023.

*Tim Bruny*

---

Name: Tim Bruny  
Title: Chief Financial Officer  
BIF IV Intrepid OpCo LLC

# Morgan Lewis

**Russell M. Blau**  
**Brett P. Ferenchak**  
**Trina Kwon**

russell.blau@morganlewis.com  
brett.ferenchak@morganlewis.com  
trina.kwon@morganlewis.com

August 16, 2023

**Via E-Filing & Federal Express**

Adam Teitzman, Commission Clerk  
Florida Public Service Commission  
Gerald Gunter Building  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399

**Re: Application of BIF IV Intrepid OpCo LLC for Authority to Provide  
Telecommunications Services Within the State of Florida**

Dear Mr. Teitzman:

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**Morgan, Lewis & Bockius LLP**

1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
United States

**T** +1.202.739.3000  
**F** +1.202.739.3001

**FPSC - T20230034**

Adam Teitzman, Commission Clerk  
August 16, 2023  
Page 2

provided. Should you have any questions concerning this filing, please do not hesitate to contact the undersigned at (202) 739-3000.

Respectfully submitted,

A handwritten signature in blue ink that reads "Brett P Ferenchak". The signature is written in a cursive style.

Russell M. Blau  
Brett P. Ferenchak  
Trina Kwon

*Counsel for BIF IV Intrepid OpCo LLC*

**PUBLIC VERSION**  
**APPLICATION**

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 rather than apply for a new certificate.

Please provide the following:

1. Full name of company, including fictitious name(s), that must match identically with name(s) on file with the Florida Department of State, Division of Corporations registration:  
**BIF IV Intrepid OpCo LLC ("Applicant")**
  
2. The Florida Secretary of State corporate registration number:  
**M21000017350. Please see Exhibit A for evidence of Applicant's authority to transact business in Florida.**
  
3. F.E.I. Number: **87-3657826**
  
4. Structure of organization:

The company will be operating as a:  
(Check all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Corporation                          | <input type="checkbox"/> General Partnership          |
| <input type="checkbox"/> Foreign Corporation                  | <input type="checkbox"/> Foreign Partnership          |
| <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership          |
| <input type="checkbox"/> Sole Proprietorship                  | <input type="checkbox"/> Other, please specify below: |
- 

**If a partnership**, provide a copy of the partnership agreement.

**If a foreign limited partnership**, proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS). The Florida registration number is: \_\_\_\_\_

\_\_\_\_\_



**5. Who will serve as point of contact to the Commission in regard to the following?**

(a) This application:

Name: Russell M. Blau  
Brett P. Ferenchak  
Trina Kwon  
Title: Counsel to Applicant  
Street Address: Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Ave., N.W.  
Post Office Box:  
City: Washington  
State: District of Columbia  
Zip: 20004  
Telephone No.: 202-739-3000  
Fax No.: 202-739-3001  
E-Mail Address: [russell.blau@morganlewis.com](mailto:russell.blau@morganlewis.com)  
[brett.ferenchak@morganlewis.com](mailto:brett.ferenchak@morganlewis.com)  
[trina.kwon@morganlewis.com](mailto:trina.kwon@morganlewis.com)

(b) Ongoing operations of the company:

(This company liaison will be the point of contact for FPSC correspondence. This point of contact can be updated if a change is necessary but this must be completed at the time the application is filed).

Name: Eric Voss  
Title: Director, Market Expansion  
Street Address: 11001 W 120<sup>th</sup> Ave, #305  
Post Office Box:  
City: Broomfield  
State: Colorado  
Zip: 80021  
Telephone No.: (866) 371-1860  
Fax No.:  
E-Mail Address: [eric.voss@intrepidfiber.com](mailto:eric.voss@intrepidfiber.com)  
Company Homepage: <https://www.intrepidfiber.com>

(c) Optional secondary point of contact or liaison:

(This point of contact will not receive FPSC correspondence but will be on file with the FPSC).

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
Post Office Box: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_  
Fax No.: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

**6. Physical address for the applicant that will do business in Florida:**

Street address: 11001 W 120<sup>th</sup> Ave, #305  
City: Broomfield  
State: Colorado  
Zip: 80021  
Telephone No.: (866) 371-1860  
Fax No.: \_\_\_\_\_  
E-Mail Address: info@intrepidfiber.com

**7. List the state(s), and accompanying docket number(s), in which the applicant has:**

(a) **operated** as a telecommunications company. **Applicant currently operates as a telecommunications company in the state of Colorado.**

(b) **applications pending** to be certificated as a telecommunications company. **Applicant has applications pending in Arkansas (Dkt. No. 23-004-U) and Tennessee (Dkt. No. 23-00045) seeking authority to provide intrastate telecommunications services.**

(c) **been certificated** to operate as a telecommunications company. **Please see Exhibit B. Since its 2022 Application, Applicant has been authorized to operate in or is registered as a telecommunications company in 33 additional states.**

(d) **been denied authority** to operate as a telecommunications company and the circumstances involved. **Applicant has not been denied authority in any jurisdiction to operate as a telecommunications company.**

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

- 1. On May 24, 2023, the Commission cancelled Certificate No. 8971 issued to Applicant for failure to submit its Regulatory Assessment Fee (RAF) for calendar year 2022 (Docket No. 20230054-TX). Applicant did not intentionally ignore its obligations to submit a RAF. Due to internal miscommunication and administrative oversight, Applicant failed to timely pay the RAF fee or respond to the Proposed Agency Action (PAA) Order (Order No. PSC-2023-0147-PAA-TX). Since Applicant did not file a response to the PAA Order, the Commission issued a Consummating Order effectively cancelling Applicant's Certificate No. 8971 and referring the RAF and penalties to the Florida Department of Financial Services. Applicant has paid the RAF and associated**

penalties on June 28, 2023.

2. On June 14, 2023, the Nevada Public Utilities Commission issued a Modified Final Order imposing a \$1,000 administrative fine on Intrepid for failure to submit certain reports in 2022. Intrepid has paid the fine and submitted the delinquent reports. Intrepid does not yet provide telecommunications services in Nevada.

Applicant takes its regulatory obligations seriously. Applicant has contracted with a third party vendor specializing in telecommunications regulatory compliance that will track and address Applicant's regulatory requirements to avoid missing future reporting and fee deadlines. Applicant believes this step will help prevent similar regulatory violations in the future.

Other than the matters noted above, Applicant has not been the subject of or had any penalties imposed upon it in any jurisdiction for violations of state or federal telecommunications statutes.

(f) **been involved in civil court proceedings** with another telecommunications entity, and the circumstances involved.

**Applicant has not been involved in any civil court proceedings with another telecommunications company.**

8. The following questions pertain to the officers and directors. Have any 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?  Yes  No

If yes, provide explanation.

---

(b) granted or denied a certificate in the State of Florida (this includes active and canceled certificates)?  Granted  Denied  Neither

If granted provide explanation and list the certificate holder and certificate number.

**As stated above, Intrepid was granted Certificate No. 8971, which was revoked for failure to pay the RAF. Please see the response to Item 7 for additional details.**

---

If denied provide explanation.

---

---

(c) an officer, director, and partner in any other Florida certificated telecommunications company?  Yes  No

If yes, give name of company and relationship. If no longer associated with

company, give reason why not.

**Please see Exhibit C, which provides information on Applicant's key management's prior affiliations with other telecommunications carriers, which include Level 3 Communications and Zayo Group.**

9. Florida Statute 364.335(1)(a) requires a company seeking a certificate of authority to demonstrate its managerial, technical, and financial ability to provide telecommunications service.

**Note:** *It is the applicant's burden to demonstrate that it possesses adequate managerial ability, technical ability, and financial ability. Additional supporting information may be supplied at the discretion of the applicant. For the purposes of this application, financial statements MUST contain the balance sheet, income statement, and statement of retained earnings.*

(a) **Managerial ability:** An applicant must provide resumes of employees/officers of the company that would indicate sufficient managerial experiences of each. Please explain if a resume represents an individual that is not employed with the company and provide proof that the individual authorizes the use of the resume.  
**See Exhibit C.**

(b) **Technical ability:** An applicant must provide 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 explain if a resume represents an individual that is not employed with the company and provide proof that the individual authorizes the use of the resume.  
**See Exhibit C.**

(c) **Financial ability:** An applicant must provide financial statements demonstrating financial ability by submitting a balance sheet, income statement, and retained earnings statement. An applicant that has audited financial statements for the most recent three years must provide those financial statements. If a full three years' historical data is not available, the application must include both historical financial data and pro forma data to supplement. An applicant of a newly established company must provide three years' pro forma data. If the applicant does not have audited financial statements, it must be so stated and signed by either the applicant's chief executive officer or chief financial officer affirming that the financial statements are true and correct.

**Applicant was formed in November 2021 and therefore does not have three years' historical financial statements. Applicant provides as Confidential Exhibit D, a balance sheet, income statement and three years' pro forma data which demonstrate the financial resources available to provide the proposed telecommunications services in Florida. As Applicant does not have audited financial statements, Confidential Exhibit D also includes a signed statement by Applicant's chief financial officer affirming that the financial states are true and correct. The financial information in Confidential Exhibit D demonstrates that Applicant has sufficient financial resources to initiate and maintain the services and related operations in Florida as proposed**

in this Application.

Because Applicant is a privately held company, Applicant requests that the financial statements provided as Confidential Exhibit D be treated as confidential and proprietary, pursuant to Rule 25-22.006(5), and not be made part of the public record.

10. Where will you officially designate as your place of publicly publishing your schedule a/k/a tariffs or price lists)? (Tariffs or price lists MUST be publicly published to comply with Florida Statute 364.04).

Florida Public Service Commission

Website – Please provide Website address: www.intrepidfiber.com.  
**Applicant’s Price List, which previously was filed in Docket No. 20220043, is included as Exhibit E.**

Other – Please provide address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THIS PAGE MUST BE COMPLETED AND SIGNED**

**REGULATORY ASSESSMENT FEE:** I understand that all telecommunications companies must pay a regulatory assessment fee. A minimum annual assessment fee, as defined by the Commission, is required.

**RECEIPT AND UNDERSTANDING OF RULES:** I understand the Florida Public Service Commission's rules, orders, and laws relating to the provisioning of telecommunications company service in Florida.

**APPLICANT ACKNOWLEDGEMENT:** By my signature below, I, the undersigned owner or officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical ability, managerial ability, and financial ability to provide 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 have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules, orders and laws.

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 or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."***

I understand that any false statements can result in being denied a certificate of authority in Florida.

COMPANY OWNER OR OFFICER

Print Name: Tim Bruny  
Title: CFO  
Telephone No.: (720)727-9224  
E-Mail Address: tim.bruny@intrepidfiber.com

Signature:  Date: July 14th, 2023

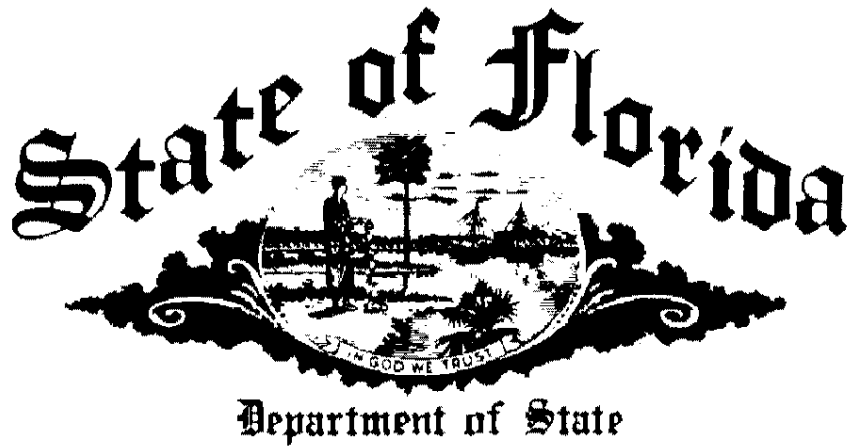
**EXHIBITS**

- Exhibit A – Evidence of Authority to Transact Business**
- Exhibit B – List of States Where BIF IV Intrepid OpCo LLC Is Certificated**
- Exhibit C – Managerial and Technical Qualifications**
- Exhibit D – FINANCIAL STATEMENTS OF BIF IV INTREPID OPCO LLC  
(*CONFIDENTIAL – FILED UNDER SEAL*)**
- Exhibit E – Proposed Price List**

**EXHIBIT A**

**Evidence of Authority to Transact Business**



**PUBLIC VERSION**

I certify the attached is a true and correct copy of the application by BIF IV INTREPID OPCO LLC, a Delaware limited liability company, authorized to transact business within the state of Florida on December 20, 2021 , as shown by the records of this office.


I further certify the document was electronically received under FAX audit number H21000460351. This certificate is issued in accordance with section 15.16, Florida Statutes, and authenticated by the code noted below.

The document number of this limited liability company is M21000017350.

Authentication Code: 121A00030795-122121-M21000017350-1/1

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capital, this the  
Twenty-first day of December, 2021



  
Secretary of State

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

IN COMPLIANCE WITH SECTION 605.0902, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. BIF IV Intrepid OpCo LLC
(Name of Foreign Limited Liability Company; must include "Limited Liability Company," "L.L.C.," or "LLC.")

(If name unavailable, enter alternate name adopted for the purpose of transacting business in Florida. The alternate name must include "Limited Liability Company," "L.L.C.," or "LLC.")

2. Delaware (Jurisdiction under the law of which foreign limited liability company is organized)
3. 87-3657826 (FEI number, if applicable)

4. N/A
(Date first transacted business in Florida, if prior to registration.)
(See sections 605.0904 & 605.0905, F.S. to determine penalty liability)

5. 250 Vesey Street, 15th Floor, (Street Address of Principal Office)
6. 250 Vesey Street, 15th Floor, (Mailing Address)

New York, New York, 10281, USA

New York, New York, 10281, USA

7. Name and street address of Florida registered agent: (P.O. Box NOT acceptable)

Name: C T Corporation System

Office Address: 1200 South Pine Island Road

Plantation, Florida 33324
(City) (Zip code)

Registered agent's acceptance:

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 application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

By: C T Corporation System
(Registered agent's signature)

Stephanie Hencz
Assistant Secretary

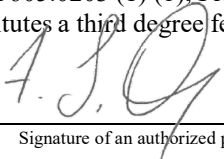
8. For initial indexing purposes, list names, title or capacity and addresses of the primary members/managers or persons authorized to manage [up to six (6) total]:

<u>Title or Capacity:</u>	<u>Name and Address:</u>	<u>Title or Capacity:</u>	<u>Name and Address:</u>
<input checked="" type="checkbox"/> Manager	Name: Fred Day _____	<input type="checkbox"/> Manager	Name: _____
<input type="checkbox"/> Member	Address: 250 Vesey Street, NY, New York, 10281, USA _____	<input type="checkbox"/> Member	Address: _____
<input type="checkbox"/> Authorized Person	_____ _____	<input type="checkbox"/> Authorized Person	_____ _____
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____
<input type="checkbox"/> Manager	Name: _____	<input type="checkbox"/> Manager	Name: _____
<input type="checkbox"/> Member	Address: _____	<input type="checkbox"/> Member	Address: _____
<input type="checkbox"/> Authorized Person	_____ _____	<input type="checkbox"/> Authorized Person	_____ _____
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____
<input type="checkbox"/> Manager	Name: _____	<input type="checkbox"/> Manager	Name: _____
<input type="checkbox"/> Member	Address: _____	<input type="checkbox"/> Member	Address: _____
<input type="checkbox"/> Authorized Person	_____ _____	<input type="checkbox"/> Authorized Person	_____ _____
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Important Notice: Use an attachment to report more than six (6). The attachment will be imaged for reporting purposes only. Non-indexed individuals may be added to the index when filing your Florida Department of State Annual Report form.

9. Attached is a 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. (If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted)

10. This document is executed in accordance with section 605.0203 (1) (b), Florida Statutes. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.



Signature of an authorized person

Fred Day

Typed or printed name of signee

# Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "BIF IV INTREPID OPCO LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRTEENTH DAY OF DECEMBER, A.D. 2021.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN ASSESSED TO DATE.



Jeffrey W. Bullock, Secretary of State

6345257 8300

SR# 20214067884

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

Authentication: 204954879

Date: 12-13-21

**EXHIBIT B**

**Response to Question 7(c)  
List of States Where BIF IV Intrepid OpCo LLC Is Certificated**

<b>Jurisdiction</b>	<b>Docket Number and Type of Authorization</b>
<b>Alabama</b>	<b>33319</b> Facilities-Based and Resold Local Exchange Telecommunications Services
<b>Arizona</b>	<b>T-21179A-22-0015</b> Nonswitched Facilities-Based Point-to-Point Private Line Telecommunications Services
<b>California</b>	<b>A.2206013</b> Full Facilities-Based and Resold Competitive Local Exchange and Interexchange Services
<b>Colorado</b>	<b>22A-0060T</b> Part IV Services
<b>Georgia</b>	<b>44555</b> Facilities-Based Competitive Local Exchange Services  <b>44556</b> IntraLATA and InterLATA Interexchange Facilities-Based Telecommunications Services
<b>Idaho</b>	Registration as Other Telecommunications Service Provider
<b>Illinois</b>	<b>23-0196</b> Certificates of Facilities Based Local Exchange and Interexchange Authority
<b>Indiana</b>	<b>45828</b> Certificate of Territorial Authority
<b>Iowa</b>	Registration as Telecommunications Service Provider
<b>Kansas</b>	<b>23-BIIT-811-COC</b> Certificate of Convenience and Authority to provide Competitive Local Exchange Carrier Services  <b>23-BIIT-812-COC</b> Certificate of Convenience and Authority to provide Interexchange Services
<b>Kentucky</b>	Notice of Intent to Provide Competitive Local Exchange Carrier and Long Distance Carrier Services
<b>Louisiana</b>	<b>S-36617</b> Competitive Access Provider
<b>Massachusetts</b>	Intrastate Telecommunications Services

**PUBLIC VERSION**

<b>Jurisdiction</b>	<b>Docket Number and Type of Authorization</b>
<b>Michigan</b>	Registration as Competitive Access Provider
<b>Minnesota</b>	<b>P7095/NA-22-42</b> Local Niche Services
<b>Missouri</b>	<b>TA-2023-0025</b> Non-Switched Local Telecommunications Service and Interexchange Telecommunications Service
<b>Montana</b>	Registration as Telecommunications Carrier
<b>Nevada</b>	<b>22-01027</b> Competitive Supplier of Telecommunications Service
<b>New Hampshire</b>	Registration as Telecommunications Carrier
<b>New Mexico</b>	<b>22-00021-UT</b> Competitive Local Exchange Telecommunications Services
<b>New York</b>	<b>23-01003</b> Certificate of Public Convenience and Necessity to operate as a Facilities-based Telecommunications Service Provider
<b>North Carolina</b>	<b>P-1654 Sub 1</b> Competing Local Provider  <b>P-1654 Sub 0</b> Interexchange Telephone Service
<b>North Dakota</b>	Registration as Telecommunications Company
<b>Ohio</b>	<b>22-0598-TP-ACE</b> Point-to-point Telecommunications Service and High-Speed Data Transport
<b>Oregon</b>	<b>CP 1659</b> Competitive Provider of Interexchange Non-Switched, Private Line Service (Dedicated Transmission Service)
<b>Pennsylvania</b>	<b>A-2022-3030976</b> Competitive Access Provider
<b>South Carolina</b>	<b>2022-405-C</b> Facilities-Based and Resold Local Exchange and Interexchange Telecommunications Services
<b>South Dakota</b>	<b>TC22-055</b> Local Exchange and Interexchange Telecommunications Services
<b>Texas</b>	<b>54418</b> Facilities-Based, Data, and Resale Telecommunications Services
<b>Utah</b>	<b>22-2634-01</b> Facilities-Based Public Telecommunications Services

***PUBLIC VERSION***

<b>Jurisdiction</b>	<b>Docket Number and Type of Authorization</b>
<b>Virginia</b>	<b>PUR-2022-0004</b> Local Exchange and Interexchange Telecommunications Services
<b>Washington</b>	<b>UT-220044</b> Competitive Telecommunications Services
<b>Wisconsin</b>	<b>11154-NC-100</b> Competitive Local Exchange Carrier
<b>Wyoming</b>	<b>72015-1-TA-22</b> Interexchange Services

## **EXHIBIT C**

### **Management Biographies of BIF IV Intrepid OpCo LLC**

#### **Jack Waters**

##### **Chief Executive Officer**

Jack Waters has over 30 years' experience in the telecommunications and Internet industry. He has held numerous positions in both executive business roles as well as engineering and operations roles. He has led construction projects for both terrestrial and subsea fiber networks totaling millions of fiber miles being deployed in North America, Europe, and Asia.

Jack currently serves as the Chairman of the board of Digital 9 Infrastructure PLC, a UK London Stock Exchange listed investment trust focused on digital infrastructure. Since inception in March of 2021, he has led the raising of over \$1B from the public markets. The trust has invested over \$500M in digital infrastructure assets including Aquacomms, a subsea fiber company, and Verne Global, an Icelandic data center company.

Most recently, Jack was president of Zayo Networks and chief operating officer (COO) at Zayo Group. In this role, he oversaw the company's global Network business, including the Fiber Solutions, Transport, Enterprise and strategic networks businesses in addition to network operations and security. During his tenure, Zayo networks revenue and EBITDA growth was 5-8% resulting in the super majority of Zayo's exit Enterprise value of ~\$14B. Prior to this role, he served as Zayo's president of Fiber Solutions and chief technology officer (CTO) and achieved Revenue and EBITDA growth of ~8-10%.

Prior to joining Zayo, Jack was CTO at Level 3 Communications, where he was one of the founding senior executives focused on global network technology, architecture, engineering, process and security. He joined Level 3 in 1997 and held numerous leadership roles spanning global operations and engineering and was responsible for the original Level 3 network buildout. Jack's career also includes management positions at MCI Communications and the Southeastern University Research and Academic Network.

Jack has served on the board of directors for the Colorado Technology Association and the Computing Advisory Board at the University of Colorado. He has also served on the Technology Advisory Council for the Federal Communications Commission. He holds a B.S. in Electrical Engineering from West Virginia University and a Master of Science in Electrical Engineering from Johns Hopkins University. Jack speaks frequently at industry events.

#### **Dave Cooper**

##### **Chief Technology Officer**

Dave Cooper has over 25 years of experience in the telecommunications and Internet industry. He has held executive leadership positions within Engineering and Product Management and is an established industry expert in designing and building large-scale fiber-optic, IP and Content-Delivery networks. Most recently, Dave held a Senior Vice President, Edge Computing role at Lumen Technologies, serving as General Manager of Lumen's cloud computing business responsible for Engineering, Software Development, Product Management, Operations and Sales. Prior to this position, Dave served as Senior Vice President, Network Architecture at Lumen reporting to the CTO. In this position, Dave was responsible for Lumen's global network design and architecture,



including terrestrial and subsea fiber-optic plant, consumer broadband (FTTH), Optical, Ethernet, IP and Voice networks.

Over the course of his career, spanning Global Crossing, Level 3 Communications, CenturyLink and Lumen, Dave served key leadership positions responsible for the design and engineering of the world's largest fiber-optic, optical and IP networks. During this time, Dave contributed significantly to the Internet Industry co-authoring numerous Internet Engineering Task Force (IETF) standards in the areas of Ethernet, MPLS Fast-Reroute, Routing and Traffic Engineering. Many of these standards are still in use today across the global telecommunications infrastructure. He also holds five US Patents in the areas of Optical Switching, Routing and Security.

Dave holds a BA and MBA from California State University, Sacramento..

**Tim Bruny**  
**Chief Financial Officer**

Tim Bruny has over 20 years of experience within the Telecommunications industry. He has held numerous leadership roles within the Finance organization including Financial Planning, Accounting, Customer Operations, and Vendor Management. During this time, he has managed various teams and projects in both the US and worldwide.

Most recently, Tim held a Vice President Financial Planning & Analysis role at Lumen Technologies, where he led cost transformation efforts resulting in over ~\$1B of annual run-rate savings. Within this role, Tim partnered with the Operational leads to drive efficiency savings through automation, network synergies and vendor negotiations across both Network and Operational expense budgets.

Over the course of his career, Tim has been a proven leader focused on process optimization to enable top-line growth, margin expansion and profitable returns on investments. During his tenure at Lumen, Tim worked on multiple mergers and acquisitions helping drive organizational efficiency and effectiveness across the combined ecosystem.

Tim holds a B.S. in Business Administration (Finance) from Colorado State University.

**Jeff Polachek**  
**Operations & Construction**

Jeff Polachek has over 25 years of experience within the Telecommunications and Construction industry. He has held leadership positions within Engineering, Construction, Network Development, Network Operations, and Service Delivery. Jeff has led initiatives investing billions of dollars in infrastructure, resulting in hundreds of thousands of miles of fiber network. Most recently, Jeff held a Vice President, Network Implementation position at Lumen Technologies, where he led the network development and deployment functions for Enterprise and Core Network Services. Within this role, Jeff led the investment into expanding the backhaul infrastructure, as well as extending the capillarity of the metro networks to serve new customers and territories, resulting in a multi-year deployment of over \$1Billion in capital infrastructure across North America.

During his tenure at Lumen, Jeff has navigated through multiple mergers and acquisitions, and has held extensive leadership roles in nearly all aspects of Operations, Engineering, and Construction. Prior to his time at Lumen, Jeff had direct experience in engineering and construction of fiber-based networks, including the development of markets from inception through the United

***PUBLIC VERSION***

States. Over the course of his career, Jeff has been a proven leader in delivering on complex design and projects.

Jeff holds a B.S. in Civil and Environmental Engineering from the Pennsylvania State University.

*PUBLIC VERSION*

**EXHIBIT D**

**Financial Statements**

***(Confidential – Filed Under Seal)***

# BIF IV Intrepid OpCo LLC

## Balance Sheet

As of December 31, 2023

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
Checking	
<b>Total Bank Accounts</b>	
Accounts Receivable	
Accounts Receivable (A/R)	
<b>Total Accounts Receivable</b>	
Other Current Assets	
Construction in Progress	
Construction Materials Costs	
Engineering and Permitting	
Freight and Shipping	
Machinery & Equipment	
Market Development Costs - Legal	
Other Construction Costs	
Sales Tax	
Subcontractors Expense	
<b>Total Construction in Progress</b>	
Inventory Asset	
Inventory Asset SubAccount	
Inventory Asset-1	
<b>Total Inventory Asset</b>	
Prepaid Software	
Retainage Receivable	
<b>Total Other Current Assets</b>	
<b>Total Current Assets</b>	
Fixed Assets	
Fixed Asset Computers	
Furniture and Equipment	
Office Improvements	
Software Development	
<b>Total Fixed Assets</b>	
Other Assets	
Rent Deposit	
<b>Total Other Assets</b>	
<b>TOTAL ASSETS</b>	

# BIF IV Intrepid OpCo LLC

## Balance Sheet

As of December 31, 2023

	TOTAL
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	
<b>Total Accounts Payable</b>	
Credit Cards	
Dave's Credit Card	
Tim's Credit Card	
<b>Total Credit Cards</b>	
Other Current Liabilities	
AP Accrual Roll-Up	
AP Accruals	
Payroll Liabilities	
<b>Total AP Accrual Roll-Up</b>	
<b>Total Other Current Liabilities</b>	
<b>Total Current Liabilities</b>	
<b>Total Liabilities</b>	
Equity	
Opening Balance Equity	
Retained Earnings	
Net Income	
<b>Total Equity</b>	
<b>TOTAL LIABILITIES AND EQUITY</b>	

# BIF IV Intrepid OpCo LLC

## Balance Sheet

As of March 31, 2023

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
Checking	
<b>Total Bank Accounts</b>	
Accounts Receivable	
Accounts Receivable (A/R)	
<b>Total Accounts Receivable</b>	
Other Current Assets	
Construction in Progress	
Construction Materials Costs	
Engineering and Permitting	
Freight and Shipping	
Machinery & Equipment	
Market Development Costs - Legal	
Other Construction Costs	
Sales Tax	
Subcontractors Expense	
<b>Total Construction in Progress</b>	
Inventory Asset	
Inventory Asset SubAccount	
Inventory Asset-1	
<b>Total Inventory Asset</b>	
Prepaid Software	
Retainage Receivable	
<b>Total Other Current Assets</b>	
<b>Total Current Assets</b>	
Fixed Assets	
Fixed Asset Computers	
Furniture and Equipment	
Office Improvements	
Software Development	
<b>Total Fixed Assets</b>	
Other Assets	
Rent Deposit	
<b>Total Other Assets</b>	
<b>TOTAL ASSETS</b>	

# BIF IV Intrepid OpCo LLC

## Balance Sheet

As of March 31, 2023

	TOTAL
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	
<b>Total Accounts Payable</b>	
Credit Cards	
Dave's Credit Card	
Tim's Credit Card	
<b>Total Credit Cards</b>	
Other Current Liabilities	
AP Accrual Roll-Up	
AP Accruals	
Payroll Liabilities	
<b>Total AP Accrual Roll-Up</b>	
<b>Total Other Current Liabilities</b>	
<b>Total Current Liabilities</b>	
<b>Total Liabilities</b>	
Equity	
Opening Balance Equity	
Retained Earnings	
Net Income	
<b>Total Equity</b>	
<b>TOTAL LIABILITIES AND EQUITY</b>	

# BIF IV Intrepid OpCo LLC

## Profit and Loss

January - December 2022

	TOTAL
Income	
<b>Total Income</b>	
Cost of Goods Sold	
Network Expense	
<b>Total Cost of Goods Sold</b>	
<b>GROSS PROFIT</b>	
Expenses	
Corporate Expenses	
Auto and Truck Expenses	
Bank Service Charges	
Computer and Internet Expenses	
Dues and Subscriptions	
Insurance Expense	
Interest Expense	
Office Supplies	
Rent Expense	
Tax	
Telephone Expense	
<b>Total Corporate Expenses</b>	
Employee Expenses	
Meals and Entertainment	
Payroll Expenses	
Travel	
Travel Meals	
Uniform Expense	
<b>Total Employee Expenses</b>	
Other Expense	
Purchases	
<b>Total Other Expense</b>	
Professional Fees	
Business Licenses and Permits	
Consulting Fees	
Government and Regulatory Fees	
Legal Fees	
<b>Total Professional Fees</b>	
Software Subscription	
Tax	
<b>Total Expenses</b>	
<b>NET OPERATING INCOME</b>	
<b>NET INCOME</b>	



# BIF IV Intrepid OpCo LLC

## Profit and Loss

January - March, 2023

	TOTAL
Income	
<b>Total Income</b>	
Cost of Goods Sold	
Bond Expense	
Cost of Goods Sold	
Network Expense	
<b>Total Cost of Goods Sold</b>	
GROSS PROFIT	
Expenses	
Corporate Expenses	
Computer and Internet Expenses	
Dues and Subscriptions	
Insurance Expense	
Office Supplies	
Rent Expense	
Tax	
Telephone Expense	
Utilities	
<b>Total Corporate Expenses</b>	
Employee Expenses	
Benefits	
Meals and Entertainment	
Payroll Expenses	
Travel	
Travel Meals	
<b>Total Employee Expenses</b>	
Other Expense	
Purchases	
<b>Total Other Expense</b>	
Professional Fees	
Business Licenses and Permits	
Government and Regulatory Fees	
Legal Fees	
<b>Total Professional Fees</b>	
Software Subscription	
Tax	
Uncategorized Expense	
<b>Total Expenses</b>	
NET OPERATING INCOME	
NET INCOME	

**BIF IV INTREPID OPCO LLC  
PRO FORMA FINANCIAL STATEMENTS**

*All currency figures denoted in US\$000s unless stated otherwise*

**STATEMENT OF OPERATIONS AND COMPREHENSIVE INCOME**

	Year Ended December 31,			
	2023	2024	2025	2026
<b>Revenue</b>				
Costs and Expenses:				
Operating (excluding depreciation and amortization)				
Selling, general, and administrative				
Depreciation and amortization				
<b>Total Cost and Expenses</b>				
Income from Operations				
Interest expense				
Income tax				
<b>Net income</b>				

**BIF IV INTREPID OPCO LLC  
PRO FORMA FINANCIAL STATEMENTS**

*All currency figures denoted in US\$000s unless stated otherwise*

**STATEMENT OF ASSETS AND LIABILITIES**

---

**Assets**

Cash and cash equivalents

Accounts receivable

Total Current Assets

Property, plant, and equipment, net

Other non-current assets

---

**Total Assets**

**Liabilities and Shareholder's Equity**

Accounts payable

Current portion of long-term debt

---

Total Current Liabilities

Long-term debt

Deferred income taxes

---

Total Liabilities

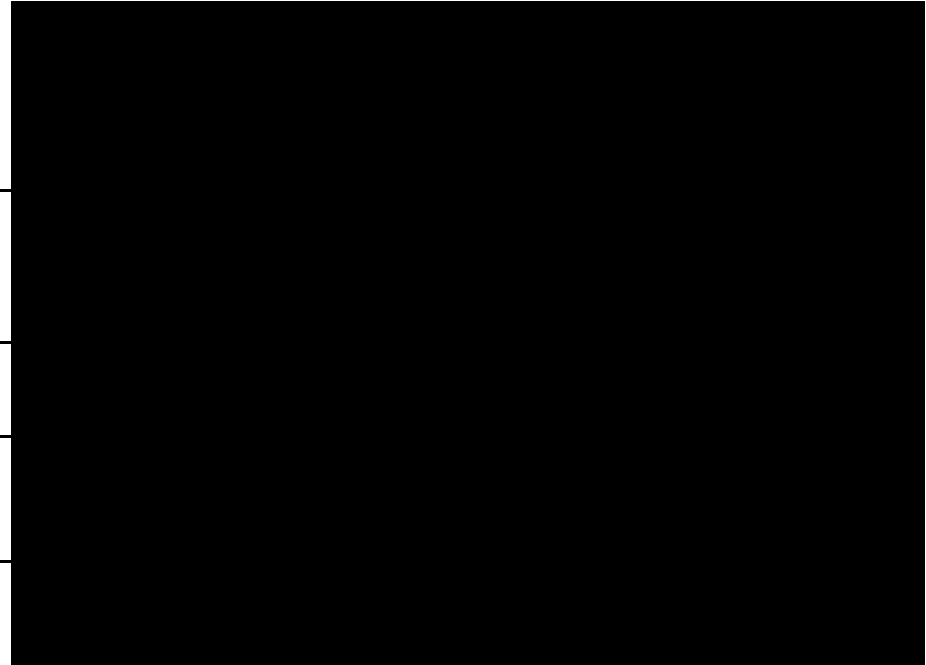
Common stock

Retained earnings

---

Total Shareholder's Equity

**Liabilities and Shareholder's Equity**



**BIF IV INTREPID OPCO LLC  
PRO FORMA FINANCIAL STATEMENTS**

*All currency figures denoted in US\$000s unless stated otherwise*

**STATEMENT OF CASH FLOWS**

---

**Cash flows from operating activities:**

Net income

Adjustments:

Depreciation and amortization

Changes in operating assets and liabilities

---

Net cash provided by operating activities

**Cash flows from investing activities:**

Capital expenditures

---

Net cash used in investing activities

**Cash flows from financing activities:**

Proceeds from equity issuance

Proceeds from long-term debt borrowings

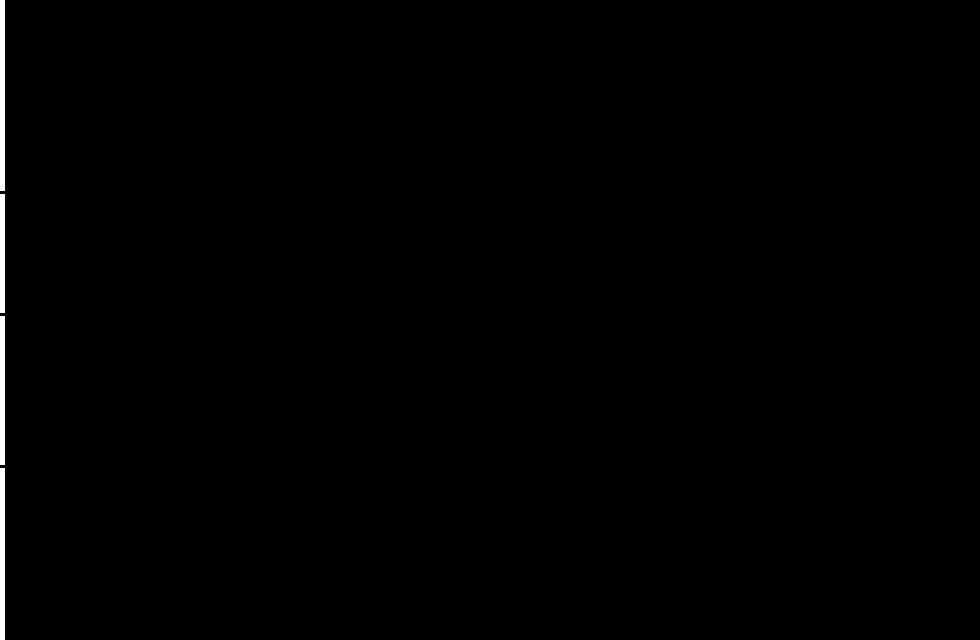
---

Net cash provided by (used in) financing activities

Increase (decrease) in cash and cash equivalents

Cash and cash equivalents, beginning of period

Cash and cash equivalents, end of period



**EXHIBIT E**

**Proposed Price List**

BIF IV Intrepid OpCo LLC  
11001 W 120<sup>th</sup> AVE, #305  
BROOMFIELD, CO 80021  
RATES, RULES AND ADMINISTRATIVE REGULATIONS  
FOR FURNISHING  
INTRASTATE  
TELECOMMUNICATIONS SERVICES  
WITHIN THE STATE OF FLORIDA

This Price List contains the description, regulations, and rates applicable to the furnishing of intrastate telecommunications services and facilities provided by BIF IV Intrepid OpCo LLC with principal offices at 11001 W 120<sup>th</sup> Ave, #305, Broomfield, CO 80021. This Price List is available on the Company's website at [www.intrepidfiber.com](http://www.intrepidfiber.com). Copies may be inspected during normal business hours at the Company's principal place of business. The Company's telephone number is (866) 371-1860.

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Issued: August 16, 2023  
Issued By:

Eric Voss, Director, Market Expansion  
11001 W 120<sup>th</sup> AVE, #305  
BROOMFIELD, CO 80021

Effective: \_\_\_\_\_, 2023

**CHECK SHEET**

The sheets inclusive of this Price List are effective as 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 Price List and are currently in effect as of the date on the bottom of this sheet.

Page	Number of Revision	Page	Number of Revision
Title	Original		
1	Original	28	Original
2	Original	29	Original
3	Original	30	Original
4	Original	31	Original
5	Original	32	Original
6	Original	33	Original
7	Original	34	Original
8	Original	35	Original
9	Original	36	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		
22	Original		
23	Original		
24	Original		
25	Original		
26	Original		
27	Original		

Issued: August 16, 2023  
Issued By:

Eric Voss, Director, Market Expansion  
11001 W 120<sup>th</sup> AVE, #305  
BROOMFIELD, CO 80021

Effective: \_\_\_\_\_, 2023

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Eric Voss, Director, Market Expansion  
11001 W 120<sup>th</sup> AVE, #305  
BROOMFIELD, CO 80021

Effective: \_\_\_\_\_, 2023

**Format**

- A. **Page Numbering** - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the Price List. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between Page 14 and 15 would be 14.1.
- B. **Page Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version. For example, the 4<sup>th</sup> revised Page 14 cancels the 3<sup>rd</sup> revised Page 14.
- C. **Paragraph Numbering Sequence** - There are various levels of paragraph coding. Each level of coding is subservient to its next higher level:
  - 2
  - 2.1
  - 2.1.1
  - 2.1.1.1
- D. **Check Sheets** - When a Price List filing is made with the Commission, an updated Check Sheet accompanies the Price List filing. The Check Sheet lists the pages contained in the Price List, with a cross-reference to the current revision number. When new pages are added, the Check Sheet is changed to reflect the revision. An asterisk designates all revisions made in a given filing (\*). 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 Price List user should refer to the latest Check Sheet to find out if a particular page is the most current.

**Explanation of Symbols**

- (C) — To signify changed administrative regulation
- (D) — To signify a discontinued rate, administrative regulation or test
- (I) — To signify an increase in a rate
- (M) — To signify text or rates relocated without change
- (N) — To signify a new rate, regulation or other text or new test
- (R) — To signify a reduction in a rate
- (T) — To signify a change in text but no change in rate

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Issued: August 16, 2023  
Issued By:

Eric Voss, Director, Market Expansion  
11001 W 120<sup>th</sup> AVE, #305  
BROOMFIELD, CO 80021

Effective: \_\_\_\_\_, 2023

**DEFINITIONS**

"Applicant" refers to an individual, partnership, corporation, association, or government agency who applies to the Company for any new or additional telephone service.

"Business Hours" refers to the time after 8:00 A.M. and before 5:00 P.M., Monday through Friday excluding holidays

"Company" or "Intrepid" refers to BIF IV Intrepid OpCo LLC.

"Commission" refers to the Florida Public Service Commission.

"Customer" refers to any person, firm, corporation, or governmental entity who has applied for and is granted service or who is responsible for payment of service.

"Delinquent or Delinquency" refers to an account for which payment has not been paid in full on or before the last day for timely payment.

"Facility" refers to one or all of the elements of a physical plant used to provide telecommunications services.

"ICB" refers to pricing arrangements made on an individual case basis.

"On-Net" refers to services where all originating and terminating points are on existing Company owned or operated facilities.

"Service" refers to any telecommunications service(s) provided by the Company under this Price List.

"Subscriber" refers to the firm, company, corporation, or other entity that contracts for service under this Price List and that is responsible for the payment of charges as well as compliance with the Company's regulations pursuant to this Price List.

"Price Lists" refer to the generally applicable terms and conditions on file with a state or federal regulatory authority or publicly available on the Company's website in accordance with the regulations of a state or federal regulatory authority.

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BROOMFIELD, CO 80021

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**SECTION 1. GENERAL**

- 1.1 This Price List governs the services provided by BIF IV Intrepid OpCo LLC that originate and terminate within the State of Florida. Specific services and rates are described elsewhere in this Price List.
- 1.2 The Company installs operates, and maintains the communications services provided herein in accordance with the terms and conditions set forth under this Price List. The Company may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer, to allow connection of a Customer's location to the Company's network. The Customer shall be responsible for all charges due for such service arrangement.
- 1.3 The Company's services are available to large enterprise, government and wholesale Customers only.

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**SECTION 2. RULES AND REGULATIONS**

2.1 Undertaking of the Company

This Price List contains the regulations, rates and charges applicable to resold and facilities-based competitive telecommunications services provided by the Company in the State of New Florida.

2.2 Obligations of the Customer

2.2.1 The Customer shall be responsible for:

- 2.2.1.1 The payment of all applicable charges pursuant to this Price List.
- 2.2.1.2 Reimbursing the Company for damage to, or loss of, the Company's facilities or equipment caused by the acts or omissions of the Customer; or the noncompliance by the Customer, with these regulations, or by fire or theft or other casualty on the Customer's premises unless caused by the negligence or willful misconduct of the employees or agents of the Company.
- 2.2.1.3 Providing at no charge, as specified from time to time by the Company, any needed space and power to operate the Company's facilities and equipment installed on the Customer's premises.
- 2.2.1.4 Complying with all laws and regulations regarding the working conditions on the premises at which the Company's employees and agents shall be installing or maintaining the Company's facilities and equipment. The Customer may be required to install and maintain the Company's facilities and equipment within a hazardous area if, in the Company's opinion, injury or damage to the Company's employees or property might result from installation or maintenance by the Company. The Customer shall be responsible for identifying, monitoring, removing and disposing of any hazardous material prior to any construction or installation work.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.2 Obligations of the Customer (Cont'd)

2.2.1 (Cont'd)

2.2.1.5 Complying with all laws and regulations applicable to, and obtaining all consents, approvals, licenses and permits as may be required with respect to, the location of the Company's facilities and equipment in any Customer premises for the purpose of installing, inspecting, maintaining, repairing, or upon termination of service as stated herein, removing the facilities or equipment of the Company.

2.2.1.6 Making Company facilities and equipment available periodically for maintenance purposes at a time agreeable to both the Company and the Customer. No allowance for interruptions in service will be made for the period during which service is interrupted for such purposes.

2.2.2 With respect to any service or facility provided by the Company, the Customer shall indemnify, defend and hold harmless the Company from all claims, actions, damages, liabilities, costs and expenses for:

2.2.2.1 Any loss, destruction or damage to property of the Company or any third party, or injury to persons, including, but not limited to, employees or invitees of either the Company or the Customer, to the extent caused by or resulting from the negligent or intentional act or omission of the Customer, its employees, agents, representatives or invitees; or

2.2.2.2 Any claim, loss, damage, expense or liability for infringement of any copyright, patent, trade secret, or any proprietary infringement of any copyright, patent, trade secret, or any proprietary or intellectual property right of any third party, arising from any act or omission by the Customer.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.2 Obligations of the Customer (Cont'd)

2.2.3 The Customer is responsible for ensuring that Customer-provided equipment connected to Company equipment and facilities is compatible with such equipment and facilities. The connection, operation, testing, or maintenance of such equipment shall be such as not to cause damage to the Company—provided equipment and facilities or injury to the Company's employees or other persons. Any additional protective equipment required to prevent such damage or injury shall be provided by the Company at the Customer's expense.

2.2.4 The Company's services (as detailed in this Price List) may be connected to the services or facilities or other communications carriers only when authorized by, and in accordance with, the terms and conditions of the Price Lists or contracts which are applicable to such connections.

2.2.5 Upon reasonable notification to the Customer, and at a reasonable time, the Company may make such tests and inspections as may be necessary to determine that the Customer is complying with the requirements set forth in this Price List for the installation, operation, and maintenance of Customer-provided facilities and equipment that is connected to Company-owned facilities and equipment.

2.3 Liability of the Company

2.3.1 In view of the fact that the Customer has exclusive control over the use of service and facilities furnished by the Company, and because certain errors incident to the services and to the use of such facilities of the Company are unavoidable, services and facilities are furnished by the Company subject to the terms, conditions and limitations herein specified:

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.3 Liability of the Company (Cont'd)

2.3.1 (Cont'd)

- (A) The Company's damages arising out of its negligent acts, or mistakes, omissions, interruptions, delays, errors, or defects during the course of furnishing service, shall in no event exceed an amount equivalent to Company's charges for service during the period affected by such negligence, or in which such mistakes, omissions, interruptions, delays, errors, or defects occurred. Any mistakes, omissions, interruptions, delays, errors, or defects that are caused by or materially contributed to by the negligence or willful acts of Customer, or that arise from facilities or equipment used by Customer and not provided by Company, shall not result in the imposition of any liability upon Company.
  
- (B) Customer shall defend, indemnify, and hold harmless the Company, its officers and directors, employees, and agents from and against any and all lawsuits, claims, demands, penalties, losses, fines, liabilities, damages, and expenses of any kind and nature (including, without limitation, liability to third parties for personal injury or death and for loss or damage to property, and loss or damage to Company property, and injury to Company employees), without limitation whatsoever, that in any way arise out of or result from Customer's operations, installation or maintenance of equipment and facilities, or performance under this Price List, or that arises out of or in any way is connected with Customer's provision of service to its end users, or any use or attempted use by Customer or any such end user of services provided by the Company hereunder; provided that this section shall not apply to the extent that any injury, loss, or damage is caused by the gross negligence or willful misconduct on the part of the Company.
  
- (C) The Company will not be liable for any act, omission to act, negligence, or defect in the quality of service of any underlying carrier or other service provider whose facilities or services are used in furnishing any portion of the service received by Customer. Company will not be liable for any failure of performance that is caused by or the result of any act or omission by Customer or any entity other than Company, which furnishes services, facilities, or equipment used in connection with Company's services or facilities.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.3 Liability of the Company (Cont'd)

2.3.1 (Cont'd)

- (D) EXCEPT AS EXPRESSLY PROVIDED IN THIS PRICE LIST, COMPANY MAKES NO EXPRESS OR IMPLIED REPRESENTATIONS, OR WARRANTIES, INCLUDING ANY WARRANTIES REGARDING MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.
  
- (E) IN NO EVENT SHALL COMPANY BE LIABLE TO CUSTOMER FOR SPECIAL, INCIDENTAL, INDIRECT, CONSEQUENTIAL, OR PUNITIVE DAMAGES (INCLUDING WITHOUT LIMITATION, LOST PROFITS OR REVENUE).

2.3.2 Limitation of Liability

- 2.3.2.1 Neither Party shall be liable for any failure of performance hereunder due to causes beyond its reasonable control including, but not limited to, acts of God, fire, explosion, vandalism, cable cut, flood, storm, or other similar catastrophe, any law, order, regulation, direction, action or request of the government, or any department, agency, commission, court, or bureau of a government, or any civil or military authority, national emergency, insurrection, riot, war, strike, lockout, or work stoppage (each, a "Force Majeure Event"). The Party claiming relief under this Section shall notify the other Party of the occurrence or existence of the Force Majeure Event and of the termination of such event. In the event Company is unable to deliver Services as a result of a Force Majeure Event, Customer shall not be obligated to pay for the Services so affected for as long as the Company is unable to deliver the Services.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.4 Application for Service

2.4.1 Minimum Contract Period

2.4.1.1 Except as otherwise provided in an accepted Service Order, the minimum initial contract period is one year for all services furnished. When a service is discontinued prior to the expiration of the minimum period, charges are applicable, whether the service is used or not.

2.4.1.2 The Company may require a minimum initial contract period longer than one year in connection with special, non-standard types or arrangements of equipment, or for unusual construction, necessary to meet special demands for service.

2.4.2 Cancellation of Service

2.4.2.1 Where the applicant cancels an order for service at least ten (10) days prior to the Company's delivery of a firm order commitment date ("FOC Date"), the start of the installation or special construction of facilities, no charge shall apply, except to the extent the Company incurs a service order or similar charge from a supplying carrier, if any, prior to the construction.

2.4.2.2 Where the installation of facilities, other than those provided by special construction, has been started prior to cancellation, the lower of the following charge applies;

- A. The total costs of installing and removing such facilities; or
- B. The monthly charges for the entire initial contract period of the service ordered by the Customer as provided in this Price List plus the full amount of any applicable third-party installation and termination charges.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.4 Application for Service (Cont'd)

2.4.2.3 The Company reserves the right to redefine its regions, add new regions, or remove regions from its current offering, as it deems appropriate in its sole discretion and will provide the Customer with at least thirty (30) days' notice of any change in the definition of the Company's regions. As used in this Section 2.4, region shall mean geographic service territories for which the Company has been approved by the Commission to provide service.

2.4.2.4 In the event the Company plans to exit a current region, the Company shall obtain any required Commission approval and provide Customer with thirty (30) days prior written notification of the Company's intent. The Customer shall be allowed to immediately terminate services, without penalty, in the affected region upon receiving notice. If Customer so requests, Company will assist Customer in transitioning its services to another provider.

2.5 Payment for Service

2.5.1 Company will bill Customer monthly, unless there is a contract for a longer billing period, with recurring charges being billed in advance and any usage charges billed in arrears. All amounts due Company are payable in full within thirty (30) days ("Due Date") from the date of invoice ("Bill Date").

2.5.2 Payments are past due if not received by the Company by the Due Date. Any outstanding, undisputed amounts past due will be subject to a late payment charge accruing at the rate of 1-1/2% per month or the highest lawful rate, whichever is lower, until paid. In addition, invoices not paid within forty (40) days of the Bill Date and which have not been disputed in accordance with the procedures set forth in Section 2.7.1 of this Price List, may result in suspension of service until the overdue payment and any additional charges that may be imposed to restore service, have been paid. Customer agrees to pay all reasonable costs, including but not limited to, collection agency and attorney fees, incurred by Company in collecting any unpaid amounts. Failure of the Customer to pay all undisputed amounts by the Due Date is a material breach and Company shall notify Customer in writing and allow five (5) days for Customer to cure a monetary breach, and if default remains uncured, Company may terminate services hereunder for nonpayment.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.5.3 The Customer is responsible for payment of all charges for service furnished to the Customer. Charges based on actual usage during a month will be billed monthly, unless there is a contract for a longer billing period, in the month following the month in which the service was used. All fixed monthly and nonrecurring charges for services ordered will be billed monthly in advance.

2.5.4 The Company reserves the right to require advance payment from an applicant for nonrecurring charge(s), which may include construction charges, installation charges, permitting charges, etc. The Company shall not require advance payment of any monthly recurring charges.

**2.6 Customer Deposits**

2.6.1 The Company may require a deposit or guarantee of payment from any Customer or applicant who has not established good credit with the Company. Deposit or guarantee of payment requirements as prescribed by the Company must be based upon standards which bear a reasonable relationship to the assurance of payment.

A deposit shall not exceed an estimated two months gross bill or existing two months bill where applicable. All deposits shall be in addition to payment of an outstanding bill or a part of such bill as has been resolved to the satisfaction of the Company, except where such bill has been discharged in bankruptcy. The Company will not require a deposit or a guarantee of payment without explaining in writing why that deposit or guarantee is being required and under what conditions, if any, the deposit will be diminished upon return.

The Company may determine whether a Customer has established good credit with that Company, except as herein restricted:

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.6 Customer Deposits (Cont'd)

2.6.1 (Cont'd)

- 2.6.1.1 A Customer, who within the last 12 months (i) has not had service suspended or disconnected for nonpayment of a bill, (ii) has not had late payments more than 3 of the preceding 12 months and (iii) has not been liable for disconnection of service for nonpayment of a bill, and the bill is not in dispute, shall be deemed to have established good credit.
- 2.6.1.2 The Company shall not require a deposit or a guarantee of payment based upon income, home ownership, residential location, employment tenure, nature of occupation, race, color, creed, sex, marital status, age, national origin, or any other criteria which does not bear a reasonable relationship to the assurance of payment or which is not authorized by this chapter.
- 2.6.1.3 The Company shall not use any credit reports other than those reflecting the purchase of utility services to determine the adequacy of a Customer's credit history without the permission in writing of the Customer. Any credit history so used shall be mailed to the Customer in order to provide the Customer an opportunity to review the data. Refusal of a Customer to permit use of a credit rating or credit service other than that of a utility shall not affect the determination by the Company as to that Customer's credit history.
- 2.6.1.4 Interest will be added to the deposit at the rate the Company charges for late payment of bills or the rate specified in NMSA 1978 Section 62-13-13, whichever is greater. Interest on deposits shall be payable from the date of deposit to the date of refund or disconnection. The utility may, at its option, pay the interest at intervals it chooses but at least annually, by direct payment, or as a credit on bills. Upon termination of service, the deposit with accrued interest shall be credited to the final bill and the balance shall be returned within thirty (30) days to the customer.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.6 Customer Deposits (Cont'd)

2.6.2 Return of Deposit

Upon termination of service, the deposit with accrued interest shall be credited to the Customer's final invoice and the balance shall be returned within 45 days to the Customer. When a deposit is to be returned, the Customer may request that the full amount of the deposit be issued by check. If the Customer requests that the full amount be credited to amounts owed the Company, the Company will apply the deposit to any amount currently owed to the Company, and return any remaining amount of the deposit to the Customer by check.

2.6.3 Guarantee of Payment

The Company may accept, in lieu of deposit, a contract signed by a guarantor satisfactory to the Company whereby payment of a specified sum, not exceeding the deposit requirement, is guaranteed. The term of such contract shall be for no longer than 12 months, but shall automatically terminate after the Customer has closed and paid the account with the Company, or at the guarantor's request upon 60 days' written notice to the Company. Upon termination of a guarantee contract or whenever the Company deems same insufficient as to amount or surety, a cash deposit or a new or additional guarantee may be required for good cause upon reasonable written notice to the Customer.

The service of any Customer who fails to comply with these requirements may be disconnected upon notice as prescribed in Florida Rules. The Company will provide written notice to Customer by first class mail or personal delivery at least five (5) days before the disconnection of service, excluding Sundays and legal holidays. The Company shall mail the guarantor copies of all disconnect notices sent to the customer whose account he has guaranteed unless the guarantor waives such notice in writing.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

**2.7 Customer Complaints and Billing Disputes**

2.7.1 In the event that Customer disputes any charges, Customer must submit a written claim or telephone the Company describing the disputed amount. Customers with complaints or inquiries may contact the Company at the address and telephone number below. The Company's bills will also include the toll-free number of the Consumer Relations Division of the Commission together with a statement advising customers that they may contact the Commission if they are unable to resolve a billing inquiry with the carrier. Customer shall submit all documentation as may reasonably be required to support the claim. Payment may be withheld for the amounts subject to a dispute submitted prior to the Due Date. All disputes and claims for refunds must be submitted to Company within one hundred eighty (180) days of the Bill Date. If Customer does not submit a claim as stated above, Customer waives all rights to file a claim thereafter. Company shall investigate and resolve all disputes within forty-five (45) days of receipt of the dispute and Company's resolution of such a dispute is final. Any portion of a disputed amount deemed payable by Company must be paid in full within ten (10) days of resolution or Customer's service may be subject to disconnection and late payment charges imposed on the overdue amount.

2.7.2 Customers may register any inquiry or complaint at:

BIF IV Intrepid OpCo LLC  
11001 W 120<sup>th</sup> Ave, #305  
Broomfield, CO 80021  
Telephone: 866-371-1860

:

2.7.3 Customers unable to resolve a dispute with the Company may submit any inquiry or complaint to one or both of the following:

<p>Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee FL 32399-0850 Online Complaint Form: <a href="http://www.psc.state.fl.us/ConsumerAssistance/AjaxConsumerComplaintForm">http://www.psc.state.fl.us/ConsumerAssistance/AjaxConsumerComplaintForm</a> By Phone: 1-800-342-3552 By Email: <a href="mailto:contact@psc.state.fl.us">contact@psc.state.fl.us</a></p>	<p>Florida Department of Agriculture and Consumer Services 2005 Apalachee Parkway Tallahassee, FL 32399-6500 Toll-free Consumer Hotline (within Florida): 1-800-435-7352 Toll-free Spanish Hotline: 1-800-352-9832 <a href="http://www.fdacs.gov/ConsumerServices">www.fdacs.gov/ConsumerServices</a></p>
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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.8 Credits for Interruptions in Service

2.8.1 Credit for failure of service or equipment will be allowed only when failure is caused by or occurs in equipment owned, provided, or billed for, by the Company.

2.8.2 The following credits are provided for interruptions in service, as specified for particular services furnished solely by the Company:

2.8.2.1 In the event that any service provided by the Company becomes unavailable due to a Service Outage, as defined below, for reasons other than an Excused Outage, as defined below, Customer will be entitled to a service credit off of the monthly recurring charge for the affected circuit(s) based upon the cumulative length of time of the Service Outage in a given month as set forth below:

Length of Service Outage (in hrs:mins:secs)	Credit for Protected Services	Credit for Unprotected Services
0:00:01 — 1:00:00	0%	0%
1:00:01 — 2:00:00	2%	0%
2:00:01 — 3:00:00	5%	0%
3:00:01 — 4:00:00	10%	0%
4:00:01 — 8:00:00	20%	10%
8:00:01 — 24:00:00	50%	20%
24:00:01 — 48:00:00	75%	30%
More than 48 hours	100%	40%

For the purposes of this Section, "Protected" means a Service that has end to end fiber path diversity and protected handoffs and "Unprotected" means a Service that does not meet the Protected definition above.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.8 Credits for Interruptions in Service (Cont'd)

2.8.2 (Cont'd)

2.8.2.2 For purposes of this Section, "Service Outage" means the break in transmission measured from the first ten (10) consecutive severely erred seconds ("SESs") on the affected Company circuit until the first ten (10) non-SESs which is known by the Company. An SES is measured with a bit error ratio of greater than or equal to 1 in 1000. To be eligible for a credit under this Section, the Service Outage must last for more than sixty (60) consecutive minutes. Service credits shall be deducted from the charges payable by Customer hereunder and shall be expressly indicated on the next bill to Customer. Customer will provide Company with the information necessary to validate the Service Outage and whether a credit is due under this Section. If the Customer reports Services or a facility or circuit to be unavailable but declines to release it for testing and repair, it is considered to be impaired, but shall not be deemed a Service Outage.

2.8.2.3 Service credits shall not apply to "Excused Outages", which are defined as outages (i) caused by the negligence or acts of Customer and/or its end user, affiliates, agents or representatives, (ii) the failure or malfunction of equipment or systems that are owned or controlled by Customer or Customer's agents or other third party (including off-net facility providers); (iii) a Force Majeure Event; (iv) during any period in which the Company is not given access to the service premises; or (v) a planned Service Outage, including planned network testing or maintenance, and unscheduled emergency, maintenance, alteration or implementation.

2.8.2.4 Within sixty (60) days after the Service Outage occurs, Customer shall provide a written or oral request to the Company for a service credit. If Company confirms the Service Outage qualifies for a credit hereunder, the Company will grant the service credit within thirty (30) days from receipt of said notice. Unless otherwise specifically stated, Service Outages are not aggregated for purposes of determining the credit allowance.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

**2.8 Credits for Interruptions in Service (Cont'd)**

The Company agrees to provide a written Service Outage report within three (3) business days to a designated Customer contact list when requested by Customer. The service outage report will identify the impaired Circuit(s), the beginning and ending time/date of the Service Outage and the root cause of the Service Outage. The maximum service credit in a calendar month for any affected circuit shall not exceed one hundred percent (100%) of the corresponding monthly recurring charge for the affected circuit.

The Company shall notify the Commission of any major interruptions in service that affect the Company's entire system or any major division. The Company shall report outages affecting more 1500 Customers and lasting longer than thirty (30) minutes to the Consumer Relations Division of the Commission by telephone, facsimile, or e-mail.

The Company may temporarily and without notice interrupt service for an operational emergency, necessary and unavoidable network maintenance, or reasons related to the public safety and welfare.

**2.9 Taxes, Fees and Surcharges**

2.9.1 All state and local taxes and fees shall be listed as separate line items on the Customer's bill.

2.9.2 If a municipality, other political subdivision or local agency of government, or the Commission imposes and collects from the Company a gross receipts tax, occupation tax, real estate tax, license tax, permit fee, franchise fee, or regulatory fee, such taxes and fees shall, as allowed by law, be billed pro rata to the Customer receiving service from the Company within the territorial limits of such municipality, other political subdivision or local agency of government.

2.9.3 Service shall not be subject to taxes for a given taxing jurisdiction if the Customer provides the Company with written verification, acceptable to the Company and to the relevant taxing jurisdiction, that the Customer has been granted a tax exemption.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.10 Returned Check Charge

The charge for a returned check is \$30.00 or the maximum legal amount, whichever is greater.

2.11 Special Customer Arrangements

In cases where a Customer requests special or unique arrangements which may include but are not limited to engineering, conditioning, installation, construction, facilities, assembly, purchase or lease of facilities and/or other special services not offered under this Price List, the Company, may provide the requested services. Appropriate recurring charges and/or nonrecurring charges and other terms and conditions will be developed for the customer for the provisioning of such arrangements.

2.12 Disconnection and Termination of Service

The Company shall not disconnect basic local service for nonpayment of toll or information service charges or any service other than basic local service.

2.12.1 Disconnection of Service

Company shall have the right consistent with Florida law to refuse or discontinue telephone service or service arrangements if the acts of the Customer or the conditions upon their premises are such as to indicate an intent to defraud Company or to use the Service to defraud a third party, including but not limited to, providing false credit information, significantly misstating expected service volumes, using the services for unlawful purposes, or using services without intent to pay.

Company will provide written notice by first class mail or personal delivery at least five (5) days before the disconnection of service, excluding Sundays and legal holidays, identifying the date of disconnection, the reasons for disconnection, and the methods, if any, for avoiding the disconnection, and the Customer's right to dispute such action.

Customer is responsible for all charges attributable to Customer, even if incurred as a result of fraudulent or unauthorized use of the Service by third parties. Company may, but is not obligated to, detect or report unauthorized or fraudulent use of Service.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.12 Disconnection and Termination of Service (Cont'd)

2.12.2 Disconnection of Service Requiring Notice

Disconnection notices issued by the Company will inform the Customer facing service disconnection of the total amount which the Customer would need to pay in order to avoid disconnection of service. Such notices shall also inform the Customer of the Company's legal obligation, if applicable, to provide service to customers whose access service charges are paid, even while their toll service is disconnected for nonpayment of outstanding toll debt.

2.12.2.1 The Company may disconnect service for any of the following reasons provided it has notified the Customer of its intent, in writing, to disconnect service and has allowed the Customer a reasonable time of not less than ten (10) days in which to remove the cause for disconnection:

- A. Non-compliance with Regulations. For violation of or non-compliance with Commission's rules and regulations or for violation of or non-compliance with the Company's Price List.
- B. Failure on Contractual Obligations. For failure of the Customer to fulfill his contractual obligations for service or facilities subject to regulation by the Commission.
- C. Refusal of Access. For failure of the Customer to permit the Company to have reasonable access to its equipment and property.
- D. Failure to meet the utility's deposit and credit requirements.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.12 Disconnection and Termination of Service (Cont'd)

2.12.2 Disconnection of Service Requiring Notice

2.12.2.1 (Cont'd)

- E For non-payment of a bill for service, provided that the Company has made a reasonable attempt to effect collection, and has given the Customer written notice by first class mail or personal delivery at least five (5) days before disconnection (excluding Sundays and legal holidays) identifying the date of disconnection, the reason(s) for disconnection and the methods, if any, for avoiding disconnection. Service disconnections shall not be made on Friday, Saturday, Sunday, a legal holiday, or at any time the utility's business offices are not open, except in the case of an emergency.
  
- F Failure to Comply with Service Conditions. For failure of the Customer to furnish the service equipment, permits, certificates, or rights-of-way, specified by the Company as a condition to obtaining service, or if the equipment or permissions are withdrawn or terminated.

2.13 Unlawful Use of Service

2.13.1 Service shall not be used for any purpose in violation of law or for any use as to which the Customer has not obtained all required governmental approvals, authorizations, licenses, consents, and permits. The Company shall refuse to furnish service to an applicant or shall disconnect the service without notice of a Customer when:

- 2.13.1.1 An order shall be issued, signed by a judge finding that probable cause exists to believe that the use made or to be made of the service is prohibited by law, or
  
- 2.13.1.2 The Company is notified in writing by a law enforcement agency acting within its jurisdiction that any facility furnished by the Company is being used or will be used for the purpose of transmitting or receiving gambling information in interstate or foreign commerce in violation of the law.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.13 Unlawful Use of Service (Cont'd)

2.13.2 If service has been physically disconnected by law enforcement officials at the Customer's premises and if there is not presented to the Company the written finding of a judge, then upon written or verbal request of the subscriber, and agreement to pay restoral of service charges and other applicable service charges, the Company shall promptly restore such service.

2.14 Interference with or Impairment of Service

Service shall not be used in any manner that interferes with other persons in the use of their service, prevents other persons from using their service, or otherwise impairs the quality of service to other Customers. The Company may require a Customer to immediately shut down its transmission of signals if said transmission is causing interference to others or impairing the service of others.

2.15 Overcharge

When a Customer has been overcharged, the amount shall be refunded or credited to the Customer.

2.16 Notices

Any notice required or permitted to be given under this Price List shall be in writing and delivered by hand, mail, national overnight courier service or by fax if confirmed by telephone to the Customer, at the address or phone numbers shown herein or at such other address or phone numbers as shall be designated from time to time.

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**SECTION 2. RULES AND REGULATIONS (Cont'd)**

2.17 Access to Telephone Relay Services, if Applicable

2.17.1 A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, credit on charges for certain intrastate toll charges placed between TDDs. Discounts do not apply to surcharges or per call add-on charges for operator services when the call is placed by a method that would normally incur the surcharge.

TDD: The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to applying the evening rate during business day hours and night/weekend rate during the evening rate period.

TRS: The credit to be given on a subsequent bill for such calls placed by TDDs with the assistance of the relay center will be equal to 50% of the rate for the applicable rate period. If either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted at 25% of the applicable rate.

2.18 Minimum Call Completion Rate, if Applicable

2.18.1 The minimum call completion rate at all times shall be no less than 97%.

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**SECTION 3. DESCRIPTION OF SERVICES**

3.1 General

The various types of service offered by the Company are described below. The Company's services are billed at predetermined monthly rates, unless there is a contract for a longer billing period. Recurring charges are billed in advance of the month in which the service is provided. Any optional features and extraordinary installation costs other than recurring and nonrecurring charges may apply as described herein. Customers requesting these services may subscribe to services on an individual case basis as described in Section 3.5.

3.2 Service Configurations

There are two types of service configuration over which Company's services are provided: point-to-point and multipoint service.

3.2.1 Point-to-Point Service

Point-to-Point Service connects two premises designated by the Customer, either on a directly-connected basis, or through a hub where multiplexing functions are performed.

3.2.2 Multipoint Service

Multipoint Services connect three or more premises designated by the Customer through a Company hub. While there is no limitation on the number of locations that may be connected through multipoint service, the quality of service may be degraded when more than three points are connected. Multipoint services may be provided where it is technically possible to provide those services. However, if the Company determines that the requested multipoint service is not feasible, the Customer will be notified and provided an opportunity to change the order within forty-five (45) days.

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

3.3 Service Descriptions and Technical Specifications The Company plans to offer the following services:

3.3.1 100Mbps through 1Gbps (in 100Mb increments) and 10Gbps Ethernet Service

The Company provides point-to-point Ethernet services provided between locations designated by the Customer and/or between such locations and a Company hub, through fiber optic cable owned or controlled by Company.

3.3.2 1.0 Gbps, 2.5Gbps and 10Gbps Wavelengths

The Company provides point-to-point Wavelength services provided between locations designated by the Customer and/or between such locations and a Company hub, through fiber optic cable owned or controlled by Company.

3.3.3 Wholesale Fiber-to-the-Premise Access (Residential)

The Company will build Fiber to the Home and allow an Open Access structure where the Company will provide High Speed Data Services access to Internet Service Providers (ISP). Open Access provides an ISP access to a Home to sell High Speed Data Services, for a fixed monthly rate based on Bandwidth tiers to a household.

3.3.4 Wholesale Fiber-to-the-Premise Access (Small Business)

The Company will build Fiber to the Small Business and allow an Open Access structure where the Company will provide High Speed Data Services to Commercial Internet Service Providers (ISP). Open Access provides an ISP access to a Small Business to sell Broadband, for a fixed monthly rate based on Bandwidth users and based on the Bandwidth Speed to Small Businesses.

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

**3.4 Rate Categories**

There are six rate categories that may apply to the Company's Services.

**3.4.1 Monthly Recurring Charges ("MRC")**

Monthly Recurring Charges are charges invoiced to the Customer on a monthly basis for all months the service is in place.

**3.4.2 Nonrecurring Charges ("NRC")**

Nonrecurring Charges are one-time charges to the Customer that do not occur on a recurring basis. Service installation charges, special construction and customer premise visits are included in Nonrecurring Charges.

**3.4.3 Extraordinary Charges**

From time to time, Customers may request special services not addressed specifically by rate elements in this Price List, or services to locations that may cause Company to incur extraordinary expenses not contemplated in the provision of standard service offerings. These costs include, but are not limited to:

- Additional construction costs
- Building space rental or rights-of-way costs
- Additional equipment
- Special facilities routing

In these cases, the Customer will be billed additional charges on an ICB.

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

**3.5 Contract Rates — Special Pricing Arrangements — ICB**

3.5.1 In lieu of the rates, terms and conditions set forth in this Price List, rates and charges may be established at negotiated rates on an ICB, taking into account the nature of the facilities and services, the costs of construction and operation, the volume of traffic, the length of service commitment by the Customer, and use of facilities by other Customers.

Such arrangements shall be considered Special Pricing Arrangements, the term of which will be set forth in individual Customer contracts. Unless otherwise specified in the individual Customer contract, the terms, conditions, obligations and regulations set forth in this Price List shall be incorporated into, and become a part of, said contract, and shall be binding on the Company and the Customer. In the event of a conflict between the terms and conditions of this Price List and an individual Customer contract, the terms and conditions from the individual Customer contract shall apply unless expressly stated otherwise. Specialized rates or charges will be made available to similarly-situated Customers on a nondiscriminatory basis. The Company will file notice to the Commission of any contracts with Customers, within ten (10) days after the contract is negotiated and executed. The notice shall include a summary including description of the services to be offered and the prices and a statement confirming that the prices to be charged for the regulated telecommunications services cover the Commission-defined cost of providing the service and represent a competitive offer.

3.5.2 In addition to any rate or charge established by the Company, the Customer will also be responsible for any recurring or non-recurring charges imposed by telephone companies incurred by or on behalf of the Customer in establishing and maintaining service. Such charges may be billed by the Company or directly by the telephone company, at the Company's option.

**3.6 Taxes**

**3.6.1 Sales, Use and Excise Taxes**

In addition to all recurring, non-recurring, usage or special charges, Customer shall also be responsible for and shall pay all applicable federal, state and local sales, use and excise taxes.

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

3.7 Temporary Promotional Programs

The Company may establish temporary promotional programs wherein it may waive or reduce recurring or non-recurring charges, to introduce a present or potential Customer to a service no previously subscribed to by the Customer. The Company will revise its Price Lists to include promotional offerings before implementation.

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**SECTION 4. RATES AND CHARGES**

4.1 General Regulations

4.1.1 Except as specifically indicated, the rates set forth in this section are for services where the originating and terminating points are on Company's existing network. In all other situations, special construction charges may apply in order to connect locations to Company's network.

4.1.2 Services may be provided using one, or a combination of rate elements as outlined in this Price List.

4.2 Charges for Changes to Pending Orders, Service Rearrangements and Expedite Charges

From time to time, Customers may request changes to pending orders, rearrangements to existing service, and order completion to standard intervals. In these cases, the Customer will be required to reimburse the Company for the increased expenses incurred on an ICB.

4.3 Special Construction

4.3.1 Bases for Rates and Charges

Rates and charges for special construction will be based on the costs incurred by the Company and may include (1) nonrecurring type charges; (2) recurring type charges; (3) termination liabilities; or (4) combinations thereof.

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**SECTION 4. RATES AND CHARGES (Cont'd)**

4.3 Special Construction (Cont'd)

4.3.2 The costs referred to in Section 4.4.1 may include one or more of the following items to the extent that they are applicable:

- A. Installed cost of the facilities, including estimated costs for the rearrangement of existing facilities. Cost installed includes the cost of:
  - 1. equipment and materials provided or used,
  - 2. engineering, labor and supervision,
  - 3. transportation, and
  - 4. rights-of-way;
- B. cost of maintenance;
- C. depreciation on the estimated installed cost of any facilities provided, based on the anticipated useful service life of the facilities with an appropriate allowance for the estimated net salvage;
- D. administration, taxes, and uncollectible revenue on the basis of reasonable average costs for these items;
- E. license preparation, processing, and related fees;
- F. Price List preparation, processing, and related fees; or
- G. any other identifiable costs related to the facilities provided.

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**SECTION 4. RATES AND CHARGES (Cont'd)**

4.4 Rates

Rates shown are the maximum rates for On-Net Services in a metropolitan area, where capacity is available.

4.4.1 Ethernet Services

<u>Bandwidth</u>	<u>MRC</u>	<u>NRC</u>
1000Mbps	\$2,200	\$2,500
10Gbps	\$3,300	\$2,500

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**SECTION 4. RATES AND CHARGES (Cont'd)**

4.4 Rates (Cont'd)

4.4.2 Wavelength Services

Bandwidth	MRC	NRC
1.0Gbps	\$2,000	\$2,500
2.5Gbps	\$2,500	\$2,500
10Gbps	\$3,000	\$2,500

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**SECTION 4. RATES AND CHARGES (Cont'd)**

4.4 Rates (Cont'd)

4.4.3 Wholesale Fiber-to-the-Premise Access (Residential)

Bandwidth	MRC	NRC
250 Mbps	\$85	\$150
1 Gbps	\$100	\$150

4.4.4 Wholesale Fiber-to-the-Premise Access (Small Business)

Bandwidth	MRC	NRC
250 Mbps	\$75	\$300
1 Gbps	\$90	\$300

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