

GALLAND, KHARASCH, MORSE & GARFINKLE, P. C.

CANAL SQUARE  
1054 THIRTY-FIRST STREET, N. W.  
WASHINGTON, D. C. 20007-4492

ROBERT H. MORSE  
MORRIS R. GARFINKLE  
EDWARD D. GREENBERG  
MARK S. KAHAN  
SUSAN B. JOLLIE  
MARC C. GINSBERG  
ANDREW B. SACKS  
DAVID K. MONROE  
DAVID P. STREET  
RICHARD M. LORENZO\*  
MARK W. ATWOOD  
ROBERT W. KNEISLEY  
GERALD SEIFERT\*  
STEVEN JOHN FELLMAN  
ROBERT D. ROSEMAN  
JEFFREY K. KOMINERS  
CHARLES H. WHITE, JR.  
KEITH G. SWIRSKY  
CHARLES H. HELEIN  
ANTHONY J. MCMAHON

ROBERT N. KHARASCH  
DARD I. STAGG\*  
JULIA A. WAYS DORF  
OF COUNSEL

(202) 342-5200

TELEX 89 2520 (WU)  
440297 (ITT)  
TELECOPY (202) 342-5219  
(202) 337-8787

June 3, 1993

DANIEL R. KIMBALL  
WILLIAM E. KLAUONN  
ANDREW T. GOODSON  
ERIC N. MILLER  
PETER J. PETESCH  
F. WILLIAM CAPLE  
ANITA M. MOSNER  
DONALD H. MEIERS  
MICHAEL T. DEAN  
JOEL E. LAIKS  
RICHARD HAN  
GREGORY P. CIRILLO  
MICHAEL A. MANDIGO  
DANIEL B. HASSETT  
GEORGE D. NOVAK, II  
CYNTHIA C. CRAWFORD  
XIANPING WANG\*  
MARK N. FARMER\*  
MICHAEL R. CARITHERS, JR.  
HOLLY HAMILTON  
CAROLE A. FRETET\*

\*NOT ADMITTED IN D.C.

SAMUEL W. FAIRCHILD  
GKMG CONSULTING SERVICES

WRITER'S DIRECT DIAL NUMBER  
(202) 342-6795

VIA FEDERAL EXPRESS

Florida Public Service Commission  
Division of Administration  
Room G-50  
101 East Gaines Street  
Tallahassee, Florida 32399-0850

Re: **TELCOM UNITED NORTH, INC.**  
**Application for Authority to Provide Intrastate**  
**Switchless Resale of Telecommunications Services**

Ladies and Gentlemen:

On behalf of Telcom United North, Inc. ("Telcom United") of Totowa, New Jersey, we transmit herewith an original and twelve copies of an application for authority to provide intrastate switchless resale of telecommunications services, along with a

*Jaw*

06027 001-48

June 3, 1993  
Page 2

check in the amount of \$250.00 for the required application fee.<sup>1</sup>

Also enclosed is an additional copy of the application and this letter. Please date stamp the extra copy and return that copy in the postage prepaid envelope provided.

Please direct all questions and all correspondence with respect to this application to Julia Waysdorf of this office at (202) 342-6799 or the undersigned.

Respectfully submitted,

*Charles H. Helein / Key JAW*  
Charles H. Helein  
Regulatory Counsel

CHH/dt  
Enclosures

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<sup>1/</sup> It is noted that the filing of the enclosed certification application with the Commission is considered to be fully responsive to the letter directed to Telcom United by Thomas E. Williams, III, Bureau of Service Evaluation, Division of Communications, dated May 18, 1993. However, if additional information is required by the Commission, please contact undersigned counsel directly.

**\*\* FLORIDA PUBLIC SERVICE COMMISSION \*\***

**DIVISION OF COMMUNICATIONS**  
**BUREAU OF SERVICE EVALUATION**  
101 E. Gaines Street  
Fletcher Building  
Tallahassee, Florida 32399-0866

**APPLICATION FORM**  
**for**  
**AUTHORITY TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE**  
**WITHIN THE STATE OF FLORIDA**  
**Instructions**

- A. This form is used for an original application for a certificate and for approval of sale, assignment or transfer of an existing certificate. In case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Appendix A).
- B. Respond to each item requested in the application and appendices. If an item is not applicable, please explain why.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. If you have questions about completing the form, contact:

Florida Public Service Commission  
Division of Communications  
Bureau of Service Evaluation  
101 East Gaines Street  
Tallahassee, Florida 32399-0866  
(904) 488-1280

- E. Once completed, submit the original and twelve (12) copies of this form along with a non-refundable application fee of \$250.00 to:

Florida Public Service Commission  
Division of Administration, Room G-50  
101 East Gaines Street  
Tallahassee, Florida 32399-0850  
(904) 488-4733

FORM PSC/CMU 31 (4/91)  
Required by Commission Rule Nos. 25-24.471  
25-24.473 & 25-24.480(2)

8. If incorporated, please give: See Exhibit 1.
- (a) Proof from the Florida Secretary of State that the applicant has authority to operate in Florida.
  - (b) Name and address of the company's Florida registered agent.  
Corporation Service Company  
1201 Hays Street  
Tallahassee, Florida 32301
9. If incorporated, indicate if any of the officers, directors, partners or any of the ten largest stockholders have previously been:
- (a) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, please explain. NONE
  - (b) officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not. NONE
10. Who will serve as liaison with the Commission in regard to (please give name, title, address and telephone number):
- (a) The application; Charles H. Helein, Esq.,  
Regulatory Counsel, Galland, Kharasch, Morse &  
Garfinkle, P.C.  
1054 31st Street, N.W.  
Washington, D.C. 20007  
(202) 342-6795
  - (b) Official Point of Contact for the ongoing operations of the company;  
Nancy S. Hampson, Vice President  
Telcom United North, Inc.  
10 Furler Street  
Totowa, New Jersey 07512  
(201) 256-8182
  - (c) Tariff;  
Nancy S. Hampson, Vice President  
Telecom United North, Inc.  
10 Furler Street  
Totowa, New Jersey 07512  
(201) 256-8182

8. If incorporated, please give:
- (a) Proof from the Florida Secretary of State that the applicant has authority to operate in Florida.
  - (b) Name and address of the company's Florida registered agent.
9. If incorporated, indicate if any of the officers, directors, partners or any of the ten largest stockholders have previously been:
- (a) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, please explain. **NONE**
  - (b) officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not. **NONE**
10. Who will serve as liaison with the Commission in regard to (please give name, title, address and telephone number):
- (a) The application; Charles H. Helein, Esq.,  
Regulatory Counsel, Galland, Kharasch, Morse &  
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(201) 256-8182

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

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

MTS for pay telephone service providers

Block-of-time calling plan (Reach out Florida, Ring America, etc.).

800 Service (Toll free)

WATS type service (Bulk or volume discount)

Method of access is via dedicated facilities

Method of access is via switched facilities

Private Line services (Channel Services)  
(For ex. 1.544 mbs., DS-3, etc.)

Travel Service

Method of access is 950

Method of access is 800

900 Service

Operator Services

Available to pre-subscribed customers

Available to non pre-subscribed customers (for example to patrons of hotels, students in universities, patients in hospitals

Available to inmates

Services included are:

Station assistance

Person to Person assistance

Directory assistance

Operator verify and interrupt

Conference Calling

Other:

13. What does the end user dial for each of the interexchange carrier services that were checked in services included (above).

14. What services will the applicant offer to other certificated telephone companies: **None**

- Facilities.  Operators.  
 Billing and Collection.  Sales.  
 Maintenance.  
 Other: \_\_\_\_\_

15. Will your marketing program:

- Pay commissions?  
 Offer sales franchises?  
 Offer multi-level sales incentives?  
 Offer other sales incentives?


16. Explain any of the offers checked in question 15 (To whom, what amount, type of franchise, etc.).  
**Varying commissions depending on the amount of sales will be paid to part-time sales people.**

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

- Residential customers.  Business customers.  
 PATS providers.  PATS station end-users.  
 Hotels & motels.  Hotel & motel guests.  
 Universities.  Univ. dormitory residents.  
 Other: (specify)\_\_\_\_\_.

18. Please provide the following (if applicable):

5. **LEC BYPASS RESTRICTIONS:** I acknowledge the Commission's policy that interexchange carriers shall not construct facilities to bypass the LECs without first demonstrating to the Commission that the LEC cannot offer the needed facilities at a competitive price and in a timely manner.
6. **RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Orders relating to my provision of interexchange telephone service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding interexchange telephone service.
7. **ACCURACY OF APPLICATION:** By my signature below, I attest to the accuracy of the information contained in this application and associated attachments.

  
\_\_\_\_\_  
Typed name and signature of  
owner or chief officer.

Peter J. Bonastia, President

\_\_\_\_\_  
Title

5-26-93  
Date

**ATTACHMENTS:**

- A - CERTIFICATE TRANSFER STATEMENT
- B - CUSTOMER DEPOSITS AND ADVANCE PAYMENTS
- C - INTRASTATE NETWORK
- D - FLORIDA TELEPHONE EXCHANGES  
AND EAS ROUTES
- E - GLOSSARY



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

**CERTIFICATE TRANSFER STATEMENT**

I, (TYPED NAME),  
current holder of certificate number \_\_\_\_\_, have  
reviewed this application and join in the petitioner's request.

\_\_\_\_\_  
Signature of owner or chief  
officer of the certificate  
holder

\_\_\_\_\_  
Title


\_\_\_\_\_  
Date



5. **TRAFFIC RESTRICTIONS:** Please explain how the applicant will comply with the EAEA requirements contained in Commission Rule 25-24.471 (4) (a) (copy enclosed).

6. **CURRENT FLORIDA INTRASTATE SERVICES:** Applicant has ( ) or has not ( x ) previously provided intrastate telecommunications in Florida. If the answer is has, fully describe the following:

- a) What services have been provided and when did these services begin?
  
  
- b) If the services are not currently offered, when were they discontinued?

  
\_\_\_\_\_  
Peter J. Bonastia

\_\_\_\_\_  
Typed name and signature or  
Owner or Chief officer.

\_\_\_\_\_  
President  
Title

\_\_\_\_\_  
5-26-93  
Date

\*\* APPENDIX D \*\*

FLORIDA TELEPHONE EXCHANGES

AND

EAS ROUTES

Describe the service area in which you hold yourself out to provide service by telephone company exchange. If all services listed in your tariff are not offered at all locations, so indicate.

In an effort to assist you, attached is a list of major exchanges in Florida showing the small exchanges with which each has extended area service (EAS).

Service will be provided statewide

  
\_\_\_\_\_  
Peter J. Bonastia

\_\_\_\_\_  
Typed name and signature of  
Owner/Chief Officer

\_\_\_\_\_  
President

\_\_\_\_\_  
Title  
\_\_\_\_\_

FLORIDA TELEPHONE EXCHANGES

PERSON COMPLETING FORM	SIGNATURE						DATE
Achua.....	Cherry Lake.....	Ft. Meade.....	Jacksonville.....	Melbourne.....	Panama City.....	Spring Lake.....	
Alford.....	Chiefland.....	Ft. Myers.....	Jacksonville Bch..	Melrose.....	Panama City Beach..	Starke.....	
Alligator Point...	Chipley.....	Ft. Myers Beach...	Jasper.....	Miami.....	Paxton.....	Stuart.....	
Altha.....	Citra.....	Ft. Pierce.....	Jay.....	Micanopy.....	Pensacola.....	Sugarloaf Key.....	
Apalachicola.....	Clearwater.....	Ft. Walton Beach...	Jennings.....	Middleburg.....	Perrine.....	Sunny Hills.....	
Apopka.....	Clermont.....	Ft. White.....	Jensen Beach.....	Milton.....	Perry.....	Tallahassee.....	
Arcadia.....	Clewiston.....	Freeport.....	Julington.....	Molino.....	Pierson.....	Tampa.....	
Archer.....	Cocoa.....	Frostproof.....	Jupiter.....	Monticello.....	Pine Island.....	Tarpon Springs....	
Aspen Park.....	Cocoa Beach.....	Gainesville.....	Keaton Beach.....	Montverde.....	Plant City.....	Tavares.....	
Baker.....	Coral Springs.....	Geneva.....	Kenansville.....	Moore Haven.....	Polk City.....	The Beaches.....	
Baldwin.....	Cottdale.....	Glendale.....	Key Largo.....	Mount Dora.....	Pomona Park.....	Titusville.....	
Baldwin.....	Crawfordville....	Graceville.....	Key West.....	Mulberry.....	Pompano Beach....	Trenton.....	
Bartow.....	Crescent City....	Grand Ridge.....	Keystone Heights..	Munson.....	Ponce De Leon....	Trilacoochee.....	
Belle Glade.....	Crestview.....	Green Cove Spc....	Kingsley Lake.....	Myakka.....	Ponte Vedra Beach..	Tyndall AFB.....	
Belleview.....	Cross City.....	Greensboro.....	Kissimmee.....	Naples.....	Port Charlotte....	Umatilla.....	
Beverly Hills....	Crystal River....	Greenwood.....	La Belle.....	New Port Richey...	Port St Joe.....	Valparaiso.....	
Big Pine.....	Dade City.....	Greenwood.....	Lady Lake.....	New Smyrna Beach..	Port St Lucie....	Venice.....	
Blountstown.....	Daytona Beach....	Gretna.....	Lake Buena Vista..	Newberry.....	Punta Gorda.....	Vernon.....	
Boca Grande.....	Debary.....	Groveland.....	Lake Butler.....	North Cape Coral..	Quincy.....	Vero Beach.....	
Boca Raton.....	Deerfield Beach...	Gulf Breeze.....	Lake City.....	North Dade.....	Raiford.....	Waldo.....	
Bonifay.....	Defuniak Springs..	Haines City.....	Lake Placid.....	North Fort Myers..	Reedy Creek.....	Walnut Hill.....	
Bonita Springs....	Deland.....	Hastings.....	Lake Wales.....	North Key Largo...	Reynolds Hill....	Wauchula.....	
Bowling Green....	DeLeon Springs...	Havana.....	Lakeland.....	North Naples.....	St. Augustine....	Weekiwachee Spa...	
Boynton Beach....	Delray Beach.....	Hawthorne.....	Laurel Hill.....	North Port.....	St. Cloud.....	Welaka.....	
Bradenton.....	Destin.....	High Springs.....	Lawtey.....	Oak Hill.....	St. Marks.....	Wellborn.....	
Branford.....	Douling Park.....	Milliard.....	Lee.....	Ocala.....	St. Petersburg....	West Kissimmee....	
Bristol.....	Dunnellon.....	Wobe Sound.....	Leesburg.....	Okeechobee.....	Salt Springs.....	West Palm Beach...	
Bronson.....	East Orange.....	Holley Navarre....	Lehigh Acres.....	Oklawaha.....	San Antonio.....	Westville.....	
Brooker.....	Eastpoint.....	Hollywood.....	Live Oak.....	Old Town.....	Sanderson.....	Wewahitchka.....	
Brooksville.....	Eau Gallie.....	Homestead.....	Lynn Haven.....	Orange City.....	Sanford.....	White Springs.....	
Bunnell.....	Englewood.....	Homosassa Springs..	Luraville.....	Orange Park.....	Sanibel-Captiva...	Wildwood.....	
Bushnell.....	Eustis.....	Hosford.....	MacClenney.....	Orange Springs....	Santa Rosa Beach..	Williston.....	
Callahan.....	Everglades.....	Howey.....	Madison.....	Orlando.....	Sarasota.....	Windermere.....	
Cantonment.....	Fernandina Beach..	Hudson.....	Malone.....	Oviedo.....	Seagrove Beach....	Winter Garden....	
Cape Coral.....	Flagler Beach....	Immokalee.....	Marathon.....	Pace.....	Sebastian.....	Winter Haven.....	
Cape Haze.....	Florahome.....	Indian Lake.....	Marco Island.....	Pahokee.....	Sebring.....	Winter Park.....	
Carrabelle.....	Fla Boys Ranch....	Indiantown.....	Marianna.....	Palatka.....	Shalimar.....	Yankeetown.....	
Cedar Keys.....	Forest.....	Interlachen.....	Maxville.....	Palm Coast.....	Silver Spa.Shores..	Youngstown-Fount..	
Century.....	Ft. George.....	Inverness.....	Mayo.....	Palmetto.....	Sneads.....	Yulee.....	
Chattahoochee....	Ft. Lauderdale....	Islamorada.....	McIntosh.....	Panacea.....	Sopchoppy.....	Zephyrhills.....	
						Zolfo Springs....	

\*\* FLORIDA EAS MAJOR EXCHANGES CONTINUE \*\*

ORLANDO: Apopka, East Orange, Lake Buena Vista, Oviedo, Windermere, Winter Garden, Winter Park, Montverde, Reedy Creek, and Oviedo-Winter Springs.

WINTER PARK: Apopka, East Orange, Lake Buena Vista, Orlando, Oviedo, Sanford, Windermere, Winter Garden, Oviedo-Winter Springs Reedy Creek, Geneva and Montverde.

TITUSVILLE: Cocoa and Cocoa Beach.

COCOA: Cocoa Beach, Eau Gallie, Melbourne and Titusville.

MELBOURNE: Cocoa, Cocoa Beach, Eau Gallie and Sebastian.

SARASOTA: Bradenton, Myakka and Venice.

FT. MYERS: Cape Coral, Ft. Myers Beach, North Cape Coral, North Ft. Myers, Pine Island, Lehigh Acres and Sanibel-Captiva Islands.

NAPLES: Marco Island and North Naples.

WEST PALM BEACH: Boynton Beach and Jupiter.

POMPANO BEACH: Boca Raton, Coral Springs, Deerfield Beach and Ft. Lauderdale.

FT. LAUDERDALE: Coral Springs, Deerfield Beach, Hollywood and Pompano Beach.

HOLLYWOOD: Ft. Lauderdale and North Dade.

NORTH DADE: Hollywood, Miami and Perrine.

MIAMI: Homestead, North Dade and Perrine

**\*\* APPENDIX E \*\***

**\*\* GLOSSARY \*\***

**ACCESS CODE:** The term denotes a uniform four or seven digit code assigned to an individual IXC. The five digit code has the form 10XXX and the seven digit code has the form 950-10XX.

**BYPASS:** Transmission facilities that go direct from the local exchange end user to an IXC point of presence, thus bypassing the local exchange company.

**CARRIERS CARRIER:** An IXC that provides telecommunications service, mainly bulk transmission service, to other IXC only.

**CENTRAL OFFICE:** A local operating unit by means of which connections are established between subscribers' lines and trunk or toll lines to other central offices within the same exchange or other exchanges. Each three (3) digit central office code (NXX) used shall be considered a separate central office unit.

**CENTRAL OFFICE CODE:** The term denotes the first three digits (NXX) of the seven (7) digit telephone number assigned to a customer's telephone exchange service.

**COMMISSION:** The Florida Public Service Commission.

**COMPANY, TELEPHONE COMPANY, UTILITY:** These terms may be used interchangeably herein and shall mean any person, firm, partnership or corporation engaged in the business of furnishing communication service to the public under the jurisdiction of the Commission.

**DEDICATED FACILITY:** The term denotes a transmission circuit which is permanently for the exclusive use of a customer or a pair of customers.

**END USER:** The term denotes any individual, partnership, association, corporation, governmental agency or any other entity which (A) obtains a common line, uses a pay telephone or obtains interstate service arrangements in the operating territory of the company or (B) subscribes to interstate services provided by an IXC or uses the services of the IXC when the IXC provides interstate service for its own use.

**EQUAL ACCESS EXCHANGE AREAS:** EAEA means a geographic area, configured based on 1987 planned toll center/access tandem areas, in which local exchange companies are responsible for providing equal access to both carriers and customers of carriers in the most economically efficient manner.

**EXCHANGE:** The entire telephone plant and facilities used in providing telephone service to subscribers located in an exchange area. An exchange may include more than one central office unit.

**EXCHANGE (SERVICE) AREA:** The territory, including the base rate suburban and rural areas served by an exchange, within which local telephone service is furnished at the exchange rates applicable within that area.

**EXTENDED AREA SERVICE:** A type of telephone service furnished under tariff provision whereby subscribers of a given exchange or area may complete calls to, and receive messages from, one or more other contiguous exchanges without toll charges, or complete calls to one or more other exchanges without toll message charges.

**FACILITIES BASED:** An IXC that has its own transmission and/or switching equipment or other elements of equipment and does not rely on others to provide this service.

**FOREIGN EXCHANGE SERVICES:** A classification of exchange service furnished under tariff provisions whereby a subscriber may be provided telephone service from an exchange other than the one from which he would normally be served.

**FEATURE GROUPS:** General categories of unbundled tariffs to stipulate related services.

**Feature Group A:** Line side connections presently serving specialized common carriers.

**Feature Group B:** Trunk side connections without equal digit or code dialing.

**Feature Group C:** Trunk side connections presently serving AT&T-C.

**Feature Group D:** Equal trunk access with subscription.

**INTEREXCHANGE COMPANY:** means any telephone company, as defined in Section 364.02(4), F.S. (excluding Payphone Providers), which provides telecommunication service between exchange areas as those areas are described in the approved tariffs of individual local exchange companies.

**INTER-OFFICE CALL:** A telephone call originating in one central office unit or entity but terminating in another central office unit or entity both of which are in the same designated exchange area.

**INTRA-OFFICE CALL:** A telephone call originating and terminating within the same central office unit or entity.  
FORM PSC/CMU 31 (4/91)



**INTRASTATE COMMUNICATIONS:** The term denotes any communications in Florida subject to oversight by the Florida Public Service Commission as provided by the laws of the State.

**INTRA-STATE TOLL MESSAGE:** Those toll messages which originate and terminate within the same state.

**LOCAL ACCESS AND TRANSPORT AREA:** LATA means the geographic area established for the administration of communications service. It encompasses designated exchanges, which are grouped to serve common social, economic and other purposes.

**LOCAL EXCHANGE COMPANY (LEC):** Means any telephone company, as defined in Section 364.02(4), F.S., which, in addition to any other telephonic communication service, provides telecommunication service within exchange areas as those areas are described in the approved tariffs of the telephone company.

**OPTIONAL CALLING PLAN:** An optional service furnished under tariff provisions which recognizes a need of some subscribers for extended area calling without imposing the cost on the entire body of subscribers.

**900 SERVICE:** A service similar to 800 service, except this service is charged back to the customer based on first minute plus additional minute usage.

**PIN NUMBER:** A group of numbers used by a company to identify their customers.

**PAY TELEPHONE SERVICE COMPANY:** Means any telephone company, other than a Local Exchange Company, which provides pay telephone service as defined in Section 364.335(4), F.S.

**POINT OF PRESENCE (POP):** Bell-coined term which designates the actual (physical) location of an IXC's facility. Replaces some applications of the term "demarcation point."

**PRIMARY SERVICE:** Individual line service or party line service.

**RESELLER:** An IXC that does not have certain facilities but purchases telecommunications service from an IXC and then resells that service to others.

**STATION:** A telephone instrument consisting of a transmitter, receiver, and associated apparatus so connected as to permit sending and/or receiving telephone messages.

EXHIBIT 1

TELCOM UNITED NORTH, INC.

CERTIFICATE OF AUTHORITY TO  
DO BUSINESS IN FLORIDA

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the application by TELCOM UNITED NORTH, INC., a Delaware corporation, authorized to transact business within the state of Florida on April 5, 1993, as shown by the records of this office.

The document number of this corporation is F93000001759.

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capital, this the  
Ninth day of April, 1993



CR2EO22 (2-91)

A handwritten signature in cursive script that reads "Jim Smith".

Jim Smith  
Secretary of State

**B. Officers:**

President: Peter J. Bonastia  
Address: 42 Brookside Terrace  
North Caldwell, NJ 07006

Vice President: \_\_\_\_\_  
Address: \_\_\_\_\_

Secretary: Gail Matteo  
Address: 11D Concord Road  
West Milford, NJ 07480

Treasurer: \_\_\_\_\_  
Address: \_\_\_\_\_

(If needed, you may attach an addendum to the application listing additional officers and/or directors.)

**10. Name and Street address of Florida registered agent:**

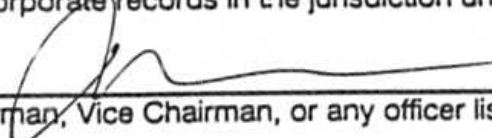
Name: Corporation Service Company  
Office Address: 1201 Hays Street  
Tallahassee, Florida 32301  
Zip Code

**11. Registered agent's acceptance:**

Having been named as registered agent and to accept service of process for the above stated corporation 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.

Registered agent's signature: Please see attachment for original signature.

12. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

13.   
(Signature of Chairman, Vice Chairman, or any officer listed in number 9 of the application)

14. Peter J. Bonastia, Chairman/President  
(Name and capacity of person signing application)

State of Delaware  
Office of the Secretary of State

PAGE 1

I, WILLIAM T. QUILLEN, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY TELCOM UNITED NORTH, INC. IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE DATE SHOWN BELOW.

\* \* \* \* \*

FILED  
93 APR -5 PM 1:17  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA



*William T. Quillen*  
\_\_\_\_\_  
William T. Quillen, Secretary of State

AUTHENTICATION: #3822173

DATE: 03/16/1993

EXHIBIT 2

TELCOM UNITED NORTH, INC.

PROPOSED TARIFF

## TELECOMMUNICATIONS SERVICES TARIFF

CHECK SHEETS

Sheets 1 through 18 inclusive of this tariff are effective as of the date shown at the bottom of the respective page(s). Original and revised pages as named below comprise all changes from the original tariff and are currently in effect as of the date at the bottom of this page.

<u>PAGE</u>	<u>REVISION</u>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original

ISSUED:

EFFECTIVE: \_\_\_\_\_, 1992

BY NANCY HAMPSON  
TELCOM UNITED NORTH, INC.  
10 Furler Street  
P.O. Box 477  
Totowa, New Jersey 07512

TELECOMMUNICATIONS SERVICES TARIFF

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BY NANCY HAMPSON  
TELCOM UNITED NORTH, INC.  
10 Furler Street  
P.O. Box 477  
Totowa, New Jersey 07512



## TELECOMMUNICATIONS SERVICES TARIFF

TARIFF 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 tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 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 on file with the FPSC. For example, 4th Revised Page 14 cancels the 3rd Revised Page 14. Because of various suspension periods, deferrals, etc. the FPSC follows in its tariff approval process, the most current page number on file with the FPSC is not always the tariff page in effect. Consult the Check Sheet for the page currently in effect.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

2.  
2.1  
2.1.1.  
2.1.1.A.  
2.1.1.A.1.  
2.1.1.A.1.(a).  
2.1.1.A.1.(a).I.  
2.1.1.A.1.(a).I.(i)  
2.1.1.A.1.(a).I.(i).(1).

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TELCOM UNITED NORTH, INC.  
10 Furler Street  
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TARIFF FORMAT, Cont'd.

- D. Check Sheets - When a tariff filing is made with the FPSC, an updated check sheet accompanies the tariff filing. The check sheet lists the pages contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc., remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular page is the most current on file with the FPSC.

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**SECTION 2 - RULES AND REGULATIONS****2.1 Undertaking of Company**

Company undertakes to provide only those designated Services as are furnished under the terms and subject to the conditions and customer payment of the applicable rates of this tariff for communications originating and terminating within Florida.

The Company's Services are available to its customers twenty-four hours per day, seven days per week.

**2.2 Limitations**

2.2.1 Service is offered subject to the availability of the facilities of Company's Underlying Carrier and the provisions of this tariff.

2.2.2 Company reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control, including without limitation, for customer non-payment of charges; or when the customer's use of a service becomes or is in violation of the law or the provisions of this tariff.

2.2.3 The Services provided under this tariff are subject to the direct and exclusive control of the Company. No one may alter or affect the Services nor transfer or assign its use of the Services without the express written consent of the Company, which consent may be withheld, without limitation, by Company in its sole discretion at any time such alteration, effect, transfer or assignment would result in an interruption of the Services or a change in the customer's location to which the Services are to be provided.

2.2.4 In the event prior written permission from the Company is given for any assignment or transfer, all regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

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## TELECOMMUNICATIONS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, Cont'd.2.3 Liabilities of the Company

- 2.3.1 Company has no liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission or call processing of customer's communications traffic by the Underlying Carrier. The Company's liability for such damages occurring in the course of furnishing the Company's Services but not caused by its gross negligence or willful misconduct or that of its employees or agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which such mistakes, interruptions, omissions, delays, errors, or defects in the Company's furnishing of its Services occur.
- 2.3.2 Acceptance of the provisions of Section 2.3.1 by the Commission does not constitute its determination that the limitation of liability imposed by the Company should be upheld in a court of law; but the recognition that as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of Section 2.3.1.
- 2.3.3 Company shall be indemnified and held harmless by the customer against:
- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content of a customer's communications traffic;
  - (B) Claims for patent infringement arising from a customer's use of its equipment, facilities or systems with the Company's Services; and
  - (C) All other claims arising out of any act or omission of the customer in connection with any service provided by Company.

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## TELECOMMUNICATIONS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, Cont'd.2.4 Interruption of Service, Cont'd.

- 2.4.5 Credit for an interruption shall commence after customer notifies Company of the interruption or when Company becomes aware thereof, and ceases when service has been restored.
- 2.4.6 Before customer notifies Company of an interruption, customer shall make reasonable attempts to ascertain that customer, a third party or its or their actions and/or equipment is/are not the cause thereof.
- 2.4.7 Credits are applicable only to that portion of service interrupted.
- 2.4.8 For purposes of credit computation, every month shall be considered to have 720 hours.
- 2.4.9 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.4.10 The customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the service affected for each hour or major fraction thereof that the interruption continues. Calculations of the credit shall be made in accordance with the following formula.

Credit Formula:

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

"A" = outage time in hours

"B" = total monthly charge for affected facility

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## TELECOMMUNICATIONS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, Cont'd.2.5 Restoration of Service

The use and restoration of service shall be administered by the Underlying Carrier in accordance with the priority system specified in Part 64, subpart D of the rules and regulations of the Federal Communications Commission.

2.6 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax and so forth) are listed as separate line items and are not included in the Company's scheduled rates.

2.9 Late Payment and Returned Check Charges

The Company may charge up to 1.5% per month of the total sum due for payments which are 30 days overdue and up to \$15 or 5% of the sum due, whichever is greater, for returned checks.

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SECTION 3 - DESCRIPTION OF SERVICES (Cont'd.)3.5 Calculation of Distance

For those services with distance sensitive rates, the Company's charges are based on the airline distance between rate centers located within Florida. The distance between rate centers is calculated by applying the vertical and horizontal coordinates associated with the rate centers involved as set forth in AT&T's Tariff F.C.C. No. 10.

3.6 Operator Assistance Service

Carrier offers standard operator services to its presubscribed 1+ Dial-Up Service Customers. Operator assistance services not available from Carrier are available from Carrier's Underlying Carrier. Carrier provides standard operator services subject to the rates and charges set forth in § 4 following.

3.7 Services Not Available

Carrier does not offer 911 service, collect or third-party billed calling services.

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## TELECOMMUNICATIONS SERVICES TARIFF

SECTION 4 - RATES4.1 Usage Charges

These charges apply per completed call and are determined using the following rate schedules.

- 4.1.1 Rate periods - Day, Evening and Night/Weekend rate periods apply to 1+ Dial-Up Service and Calling Card Service. The rates apply for all days of the week including holidays. The Day rate period is 8:00 AM to, but not including, 5:00 PM, Monday through Friday. The Evening Rate Period is 5:00 PM to, but not including, 11:00 PM Monday through Friday, and 5:00 PM to, but not including, 11:00 PM Sunday. The Night/Weekend rate period is 11:00 PM to, but not including, 8:00 AM Monday through Sunday, all day Saturday, and from 8:00 AM to, but not including, 5:00 PM Sunday. For New Year's Day (January 1), Independence Day (July 4), Labor Day, Thanksgiving Day and Christmas Day (December 25), the Night/Weekend rate applies unless a lower rate would normally apply.
- 4.1.2 Usage charges are determined by the time of day rate periods and minutes of use within each rate period. The rate period is determined by the time and day of call origination at the customer's location. Calls initiated during one time period and ending during a different period will be billed for the usage during each time period at the rates applicable to that time period.

4.2 1+ Dial-Up Service Rates

- 4.2.1 No charge is made for an uncompleted call.
- 4.2.2 1+ Dial-Up Rates are determined on a per-minute or fraction thereof basis, by time of day and day of week basis as specified in the following rate table. Minimum call duration is one minute and duration is measured in one minute increments thereafter.

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## TELECOMMUNICATIONS SERVICES TARIFF

SECTION 4 - RATES, Cont'd.4.4 800 Service Rates

- 4.4.1 No charge is made for an uncompleted call.
- 4.3.2 800 Service Rates are determined on a per-minute basis, by time of day, day of week as specified in the following rate table.
- 4.4.3 Table 3 - 800 Service Rates

Mileage	<u>First Minute</u>			<u>Each Additional Minute</u>		
	<u>Day</u>	<u>Eve</u>	<u>Night/WE</u>	<u>Day</u>	<u>Eve</u>	<u>Night/WE</u>
All Bands	\$.0212	\$.0208	\$.0182	\$.0212	\$.0208	\$.0182

4.5 Operator Assistance Charges

- 4.3.2 Directory Assistance per call \$ .35
- 4.3.3 Station to Station \$ 1.25
- 4.3.4 Person to Person \$ 3.00
- 4.4.1 For calls handled by an Operator which cannot be completed due to causes other than failure to render appropriate assistance, a surcharge of \$.35 applies.

4.4 Method of Computing Charges

Charges for each call are totalled by rate period. If the computed charges include a fraction of a mill, the fraction is rounded down to the next whole mill (e.g., \$1.4266 would be rounded down to \$1.426).

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SECTION 4 - RATES, Cont'd.4.5 Discounts for Hearing Impaired Customers

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 calls placed between TDDs. The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to applying night rate during business day hours and the night rate for night rate calls. Discounts do not apply to surcharges or previously discounted charges.

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