

HARBOR CONSULTING GROUP INC.

REGULATORY CONSULTANTS

Gina M. Guiley

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971540-TI

Via Overnight Delivery

DEPOSIT DATE
D6 610 NOV 21 1997

November 20, 1997

Florida Public Service Commission
Division of Records and Reporting
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0872

RE: Business Calling Plan, Inc. - Application for Original Authority

Dear Sir or Madam:

Enclosed are an original and twelve (12) copies of Business Calling Plan, Inc.'s Application for Original Authority to Provide Interexchange Telecommunications Services within the State of Florida, including the \$250.00 filing fee. This application is filed in accordance with Chapter 25-24, Section 25-24.471, Rules of the Florida Public Service Commission.

Business Calling Plan, Inc. is a Nevada-based provider of resold interexchange telecommunications services. It does *not* provide alternative operator services.

Please acknowledge receipt of this filing by file-stamping and returning the extra copy of the first page of the Application in the self-addressed, stamped envelope provided for this purpose. Questions concerning this filing may be directed to me.

Sincerely,

for HARBOR CONSULTING GROUP INC.

Gina M. Guiley
Gina M. Guiley

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit.

Institute of person who forwarded check.

H.G.

Enclosures

DOCUMENT NUMBER DATE
11998 NOV 21 6
FPSC RECORDS AND REPORTING

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF FLORIDA

In the Matter of the Application)
of Business Calling Plan, Inc. for)
an Application for Original Authority to)
Provide Interexchange Telecommunications)
Services Within the State of Florida.)

No. 971540 - TI

APPLICATION FOR AUTHORITY

Business Calling Plan, Inc. ("Applicant"), pursuant to Chapter 25-24, Section 25-24.471, Rules of the Florida Public Service Commission, hereby files an Application for Original Authority to Provide Interexchange Telecommunications Services within the State of Florida ("Application"), with the Florida Public Service Commission ("Commission"). In support of its Application, Applicant provides the following information in accordance with Florida Public Service Commission Form PSC/CMU 31 (11/95):

1 and 2. Applicant requests Original Authority to operate as an interexchange telecommunications company providing outbound long distance telecommunications services within the State of Florida. As a switchless non-facilities-based provider of long distance interexchange telecommunications services, Applicant does not require construction of its own facilities, nor does it have plans to construct telecommunications facilities of its own. Applicant relies on the network of its underlying carrier for local access, switching and transport. Applicant's technical ability to provide service is, therefore, based solely on that of its underlying carrier's network. Applicant requests authority to provide intrastate telecommunications services as an adjunct to its interstate services.

3. Applicant's legal name is Business Calling Plan, Inc.

4. Applicant will be doing business as Business Calling Plan, Inc.

5 and 6. Applicant will not have a Florida office, nor maintain employees in the State of Florida. All of Applicant's operations will be directed from Applicant's national office.

DOCUMENT NUMBER-DATE
11998 NOV 21 6
FPSC RECORDS/REPORTING

Applicant's principal business address is:

1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119

7. Applicant is a privately-held corporation organized under the laws of the State of Nevada on August 13, 1997. Applicant's Articles of Incorporation are submitted as Exhibit A.

8. Not applicable.

9. (a) Proof from the Florida Secretary of State that the Applicant has authority to operate in Florida appears as Exhibit B.

(b) The name and address of the Applicant's Florida registered agent are:

NRAI Services, Inc.
526 East Park Avenue
Tallahassee, Florida 32301

(c)(1) No officers, directors or any of the ten largest shareholders have been adjudged bankrupt, mentally incompetent or found guilty of a felony or of any crime. No proceedings are pending against any officers, directors or shareholders that may result in such a finding.

(c)(2) No officers, directors or shareholders are, or have previously been, affiliated in any way with a Florida certified telephone company.

10. (a and c) Correspondence and communications concerning this Application and tariff should be directed to Applicant's regulatory consultant:

Ms. Gina M. Guiley
c/o HARBOR CONSULTING GROUP INC.
P.O. Box 2461
4312 92nd Avenue N.W.
Gig Harbor, Washington 98335
Telephone: (253) 265-3910
Facsimile: (253) 265-3912

(b) Official Point of Contact for ongoing operations of the Applicant is:

Mr. Robert Young
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
Telephone: (888) 299-6618
Facsimile: (888) 299-6619

(d) Customer complaints/inquiries should be directed to Applicant's customer service department at (888) 798-0061.

11. (a through f) Applicant is authorized to operate as an interexchange carrier in Colorado, Iowa, Michigan, Montana, New Jersey, Utah and Virginia. Applicant has applications pending for interexchange certification in . In no instance has Applicant been denied authority to operate, had regulatory penalties imposed or been involved in civil court proceedings with any telecommunications entity.

12. Applicant will not offer services to other certified telephone companies.

13. Applicant markets its services through a network of independent sales agents and will utilize a commission system to compensate its agents. Applicant does not engage in multi-level marketing.

14 and 15. Applicant's independent agents will represent Applicant's services for a standard commission.

16. All customers will receive bills for Applicant's services.

17. (a) Applicant's name will appear on its billing materials.

(b) Applicant's billing will be processed by Applicant, pursuant to an agreement with the local exchange carrier, or pursuant to an agreement with the local exchange carrier and Business Discount Plan, Inc., Value Calling Plan, Inc. or U.S. Billing, Inc.

18. (a) As a new corporation, Applicant has yet to generate financial statements. Applicant's capitalization is demonstrated by Exhibit H.

(b) A summary of Applicant's management experience is attached as Exhibit G.

(c) Applicant's technical ability to provide service is entirely dependent on that of its underlying carrier.

19. Applicant's proposed tariff is attached hereto as Exhibit C.

20. Applicant is a value-added, non-facilities-based provider of resold interexchange telecommunications services. Applicant proposes to provide resold outbound interexchange telecommunications services for the direct transmission and reception of voice and data between locations throughout the State of Florida, utilizing a flat rate structure.

Applicant's services will be available to subscribers twenty-four hours per day, seven days per week, at rates, terms and conditions established by Applicant. Applicant does not propose to offer alternative operator services. All network facilities are the property of, and controlled by, Applicant's underlying carrier. Applicant assumes full responsibility for marketing and sales, billing and customer service functions. Applicant seeks to provide long-distance services at rates that are competitive with those of other interexchange carriers providing interexchange service in the State of Florida. Rates, terms and conditions pertaining to Applicant's service appear in Applicant's tariff at Exhibit C.

21. Customers dial "1" plus the number to be called in order to complete a call.

22. Commission approval of the instant Application will bring the following long-term benefits to the public:

(a) greater value to subscribers through lower priced, better quality services;

(b) innovative telecommunications services;

- (c) increased consumer choice in telecommunications service and alternative billing options;
- (d) efficient use of existing telecommunications resources, as well as increased diversification and reliability in the supply of telecommunications services; and
- (e) an additional tax revenue source for the State of Florida.

While providing its subscribers with cost advantages realized by the resale of communications services, Applicant's proposed service will necessarily utilize existing carrier network facilities more efficiently through increased usage and provide greater revenues for local exchange carriers through the purchase of additional access obtained through underlying carriers.

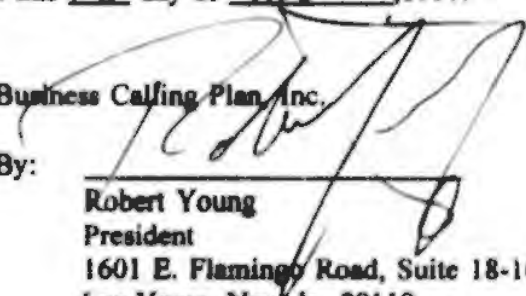
23. Applicant will comply with all the rules and regulations of the Commission and will respond to any Commission request for further information or evidence regarding Applicant's proposed services.

WHEREFORE, Business Calling Plan, Inc. respectfully requests that the Florida Public Service Commission grant to it Original Authority to operate as a reseller of telecommunications services within the State of Florida.

Respectfully submitted this 12 day of Nov, 1997.

Business Calling Plan, Inc.

By:


Robert Young
President
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
Telephone: (888) 299-6618
Facsimile: (888) 299-6619

HARBOR CONSULTING GROUP INC.
4312 92nd Avenue N.W.
Gig Harbor, Washington 98335
Telephone: (253) 265-3910
Facsimile: (253) 265-3912

APPLICANT ACKNOWLEDGMENT STATEMENT

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of its gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment of \$50.00 is required.
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** A non-refundable application fee of \$250.00 must be submitted with the application.
5. **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.
6. **ACCURACY OF APPLICATION:** By my signature below, I the undersigned owner or officer of the named utility in the application, attest to the accuracy of the information contained in this application and associated attachments. I have read the foregoing and declare that to the best of my knowledge and belief, the information is a true and correct statement.

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

Respectfully submitted this 12 day of Nov, 1997.

Business Calling Plan, Inc.

By: 

Robert Young
President
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
Telephone: (888) 299-6618
Facsimile: (888) 259-6619

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF FLORIDA

In the Matter of the Application)
of Business Calling Plan, Inc. for)
an Application for Original Authority to) No. _____
Provide Interexchange Telecommunications)
Services Within the State of Florida.)

LIST OF EXHIBITS

- | | |
|-----------|--|
| EXHIBIT A | ARTICLES OF INCORPORATION |
| EXHIBIT B | CERTIFICATE OF AUTHORITY |
| EXHIBIT C | PROPOSED TARIFF |
| EXHIBIT D | CUSTOMER DEPOSITS AND ADVANCE PAYMENTS |
| EXHIBIT E | INTRASTATE NETWORK |
| EXHIBIT F | FLORIDA TELEPHONE EXCHANGES |
| EXHIBIT G | MANAGEMENT EXPERIENCE |
| EXHIBIT H | FINANCIAL STANDING |

EXHIBIT A

ARTICLES OF INCORPORATION
(Attached)


SECRETARY OF STATE



CORPORATE CHARTER

I, DEAN HELLER, the duly elected and qualified Nevada Secretary of State, do hereby certify that **BUSINESS CALLING PLAN, INC.** did on August 13, 1997 file in this office the original Articles of Incorporation; that said Articles are now on file and of record in the office of the Secretary of State of the State of Nevada, and further, that said Articles contain all the provisions required by the law of said State of Nevada.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office, in Carson City, Nevada, on August 14, 1997.



Dean Heller

Secretary of State

By *Kelly R. Davenport*
Certification Clerk

AUG 13 1997

No. C17348-97
John Hill
JOHN HILL, SECRETARY OF STATE

**ARTICLES OF INCORPORATION OF
BUSINESS CALLING PLAN, INC.**

FIRST. The name of the corporation is:

BUSINESS CALLING PLAN, INC.

SECOND. The resident agent for this corporation shall be:

CORPORATE SERVICE CENTER, INC.

The address of said agent, and the principal or statutory address of this corporation in the State of Nevada, shall be 1475 Terminal Way, Suite E, Reno, Nevada 89502, located in Washoe County, State of Nevada. This corporation may maintain an office, or offices, in such other place or places within or without the State of Nevada as may be from time to time designated by the Board of Directors, or by the bylaws of said corporation, and that this corporation may conduct all corporation business of every kind and nature, including the holding of all meetings of directors and stockholders, outside the State of Nevada as well as within the State of Nevada.

THIRD. The objects for which this corporation is formed are as follows: to engage in any lawful activity.

FOURTH. That the total number of voting common stock authorized that may be issued by the corporation is **TWENTY FIVE THOUSAND (25,000)** shares of stock with No par value, and no other class of stock shall be authorized. Said shares may be issued by the corporation from time to time for such considerations as may be fixed from time to time by the Board of Directors.

FIFTH. The governing board of this corporation shall be known as directors, and the number of directors may from time to time be increased or decreased in such manner as shall be provided by the bylaws of this corporation, providing that the number of directors shall not be reduced to less than one (1). The name and post office address of the first Board of Directors shall be one (1) in number and listed as follows: **TREVOR C. ROWLEY, 1475 Terminal Way, Suite E, Reno, NV 89502.**

SIXTH. The capital stock, after the amount of the subscription price, or par value, has been paid in, shall not be subject to assessment to pay the debts of the corporation.

SEVENTH. The name and post office address of the Incorporator signing the Articles of Incorporation is as follows: **TREVOR C. ROWLEY, 1475 Terminal Way, Suite E, Reno, NV 89502.**

EXHIBIT B

CERTIFICATE OF AUTHORITY
(Attached)

State of Florida



Department of State

I certify the attached is a true and correct copy of the application by BUSINESS CALLING PLAN, INC., a Nevada corporation, authorized to transact business within the State of Florida on October 22, 1997 as shown by the records of this office.

The document number of this corporation is F97000005563.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Twenty-second day of October, 1997



CASB002 (2-85)

Sandra B. Northam

Sandra B. Northam
Secretary of State

APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA

1. Business Calling Plan, Inc.
(Name of corporation; must include the word "INCORPORATED", "COMPANY", "CORPORATION" or words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of a natural person or partnership if not so contained in the name as present.)

2. Nevada) 86-0887150
(State or country under the law of which it is incorporated) (FEI number, if applicable)

4. 09/13/97) Perpetual
(Date of incorporation) (Duration: Year corp. will cease to exist or "perpetual")

6. Upon qualification
(Date first transacted business in Florida.) (SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)

7. 1601 E. Flamingo Road, Suite 18-109
Las Vegas, NV 89119
(Current mailing address)

8. Long distance telecommunication services
(Purpose(s) of corporation authorized in home state or country to be carried out in state of Florida)

9. Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box NOT acceptable)

Name: NRAI Services, Inc.

Office Address: 526 E. Park Avenue

Tallahassee, Florida, 32301
(Zip code)

10. 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.

Lura Leland
Lura Leland (Registered agent's signature) Assistant Secretary for NRAI Services, Inc.

11. Attached is a certificate of existence duly authenticated, no 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

12. Names and addresses of officers and/or directors (Street address ONLY - P.O. Box NOT acceptable)

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
97 OCT 22 PM 1:58

Chairman: Robert Young

Address: 1601 E. Flamingo Road, Suite 18-109, Las Vegas, NV 89119

Vice Chairman _____

Address: _____

Director: _____

Address: _____

Director _____

Address: _____

B. OFFICERS (Street address only - P.O. Box NOT acceptable)

President: Robert Young

Address: 1601 E. Flamingo Road, Suite 18-109, Las Vegas, NV 89119

Vice President: Robert Young

Address: 1601 E. Flamingo Road, Suite 18-109, Las Vegas, NV 89119

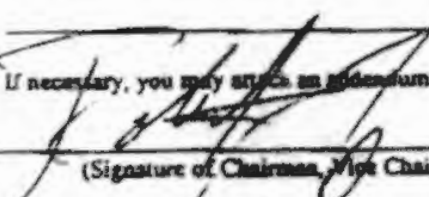
Secretary Robert Young

Address: 1601 E. Flamingo Road, Suite 18-109, Las Vegas, NV 89119

Treasurer Robert Young

Address: 1601 E. Flamingo Road, Suite 18-109, Las Vegas, NV 89119

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors

13  _____
(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)

14 Robert Young, President _____
(Typed or printed name and capacity of person signing application)

EXHIBIT C

PROPOSED TARIFF
(Attached)

FLORIDA TELECOMMUNICATIONS TARIFF

OF

Business Calling Plan, Inc.

1601 E. Flamingo Road, Suite 18-109, Las Vegas, Nevada 89119

RESALE INTEREXCHANGE TELECOMMUNICATIONS SERVICE

This tariff contains the descriptions, regulations and rates applicable to the furnishing of telecommunications services provided by Business Calling Plan, Inc. within the State of Florida. This tariff is on file with the Florida Public Service Commission ("Commission"). Copies may be inspected during normal business hours at the Company's principal place of business: 1601 E. Flamingo Road, Suite 18-109, Las Vegas, Nevada 89119.

Issued: November 14, 1997

Issued By:

Robert Young

President

Business Calling Plan, Inc.

1601 E. Flamingo Road, Suite 18-109

Las Vegas, Nevada 89119

(888) 299-6618

Effective Date:

CHECK SHEET

Original Sheet Nos. 1 through 25 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s).

<u>SHEET</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
19	Original
20	Original
21	Original
22	Original
23	Original
24	Original
25	Original

Issued: November 14, 1997

Effective Date:

Issued By:

Robert Young
President
Business Calling Plan, Inc.
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
(888) 299-6618

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Issued: November 14, 1997

Effective Date:

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Robert Young
President
Business Calling Plan, Inc.
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
(888) 299-6618

CONCURRING CARRIERS

None

CONNECTING CARRIERS

None

OTHER PARTICIPATING CARRIERS

None

EXPLANATION OF SYMBOLS

- (D) To signify **deleted or discontinued** rate, regulation or condition.
- (I) To signify a change resulting in an **increase** to a customer's bill.
- (M) To signify that material has been **moved** from another tariff location.
- (N) To signify a **new** rate, regulation condition or sheet.
- (R) To signify a change resulting in a **reduction** to a customer's bill.
- (T) To signify a change in text but no change to rate or charge.

Issued: **November 14, 1997**

Issued By:

Robert Young

President

Business Calling Plan, Inc.

1601 E. Flamingo Road, Suite 18-109

Las Vegas, Nevada 89119

(888) 299-6618

Effective Date:

TARIFF FORMAT

- A. **Sheet Numbering** - Sheet numbers appear in the upper right corner of the sheet. Sheets are numbered sequentially. However, occasionally, when a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. **Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each sheet. These numbers are used to determine the most current sheet version on file with the Commission. For example, the 4th revised Sheet 14 cancels the 3rd Revised Sheet 14. Because of various suspension periods, deferrals, etc. the Commission follows in their tariff approval process, the most current sheet number on file with the Commission is not always the sheet in effect. Consult the Check Sheet for the sheet currently in effect.
- C. **Paragraph Numbering Sequence** - There are four levels of paragraph coding. Each level of code is subservient to its next higher level:
- 2.
 - 2.1.
 - 2.1.1.
 - 2.1.1.1.
- D. **Check Sheets** - When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff with a cross reference to the current revision number. When new sheets 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 sheet if these are the only changes made to it (i.e., the format, etc., remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest Check Sheet to find if a particular sheet is the most current on file with the Commission.

Issued: November 14, 1997

Effective Date:

Issued By:

Robert Young
President
Business Calling Plan, Inc.
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
(888) 299-6618

APPLICATION OF TARIFF

This tariff contains the rates applicable to the provision of specialized intrastate resale common carrier telecommunications services by Business Calling Plan, Inc. between various locations within the State of Florida.

All services are interstate offerings. Intrastate service is an add-on service available only if customer subscribes to the Company's interstate offerings.

Issued: November 14, 1997

Issued By:

Robert Young
President

Business Calling Plan, Inc.
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
(888) 299-6618

Effective Date:

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Account Code:

A numerical code, one or more of which are available to a customer to enable identification of individual users or groups of users on an account and to allocate costs of service accordingly.

Called Station:

The terminating point of a call (i.e., the called number).

Calling Card:

A card issued by Company containing such account numbers assigned to its Customer which enables the charges for calls made to be properly billed on a pre-arranged basis.

Company:

Business Calling Plan, Inc. ("Business Calling Plan")

Commission:

Florida Public Service Commission

Customer:

The person, firm, corporation or other entity which orders or uses service and is responsible for payment of charges and compliance with tariff regulation.

Disconnect or Disconnection:

The termination of a circuit connection between the Originating Station and the Called Station or the Company's operator.

Issued: November 14, 1997

Effective Date:

Issued By:

Robert Young
President
Business Calling Plan, Inc.
1601 E Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
(888) 299-6618

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Measured Service:

The provision of long distance measured time communications telephone service to customers who access the Company's service at its contracted interexchange carriers' switching and call processing equipment by means of access facilities obtained from local exchange common carrier(s). Company contacted interexchange carrier is responsible for arranging the access lines.

Point of Presence:

The point of physical interconnection between the local exchange company's local network and the interexchange carrier's network ("POP").

Subscriber:

See "Customer" definition.

Issued: November 14, 1997

Issued By:

Robert Young
President

Business Calling Plan, Inc.
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
(888) 299-6618

Effective Date:

SECTION 2 - RULES AND REGULATIONS

2.1. UNDERTAKING OF COMPANY

- 2.1.1. Company's services are furnished for telecommunications originating and/or terminating in any area within the State of Florida.
- 2.1.2. Company is a provider of interexchange telecommunications to Customers for the direct transmission and reception of voice, data and other types of communications.
- 2.1.3. Company resells access, switching, transport and termination services provided by interexchange carriers.
- 2.1.4. Customer's monthly charges for Company's service are based on the total time Customer actually uses the service.
- 2.1.5. Subject to availability, the Customer may use authorization codes to identify the users or user groups on an account. The numerical composition of the codes shall be set by Company to assure compatibility with the Company's accounting and billing systems and to avoid the duplication of codes.
- 2.1.6. The Company's services are provided on a monthly basis unless otherwise provided, and are available twenty-four (24) hours per day, seven (7) days per week.

2.2. LIMITATIONS

- 2.2.1. Service is offered subject to availability of the necessary facilities and/or equipment and subject to the provisions of this tariff.
- 2.2.2. Company reserves the right to immediately disconnect service without incurring liability when necessitated by conditions beyond the Company's control or when the Customer is using the service in violation of either the provisions of this tariff or the Commission rules.

Issued: November 14, 1997

Effective Date:

Issued By:

Robert Young
President
Business Calling Plan, Inc.
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
(888) 299-6618

SECTION 2 - RULES AND REGULATIONS, Continued

2.2. LIMITATIONS, Continued

- 2.2.3. The Company does not undertake to transmit messages, but offers the use of its facilities when available.
- 2.2.4. Title to all facilities provided by Company under these regulations remains in Company's name.
- 2.2.5. Prior written permission from the Company is required before 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 of service.

2.3. USE

- 2.3.1. Service may be used for the transmission of communications by the Customer.
- 2.3.2. Service may not be used for any unlawful purpose or for any purpose for which any payment or other compensation is received by the Customer, except when the Customer is a duly authorized and regulated common carrier. This provision does not prohibit an arrangement between the Customer, authorized user or joint user to share the cost of service.
- 2.3.3. The Company strictly prohibits use of the Company's services without payment or an avoidance of payment by the Customer by fraudulent means or devices including providing falsified calling card numbers or invalid calling card numbers to the Company, providing falsified or invalid credit card numbers to the Company or in any way misrepresenting the identity of the Customer.

Issued: November 14 '997

Issued By:

Robert Young
President

Business Calling Plan, Inc.
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
(888) 299-6618

Effective Date:

SECTION 2 - RULES AND REGULATIONS, Continued

2.4. LIABILITIES OF THE COMPANY

- 2.4.1. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays, errors or defects in transmission occurring in the course of furnishing service or other facilities and not caused by the negligence of the customer, commences upon activation of service and in no event exceeds an amount equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays, errors or defects in transmission occur. In no event will the Company be responsible for consequential damages for lost profits suffered by a customer or end user as the result of interrupted or unsatisfactory service. For the purpose of computing such amount a month is considered to have thirty (30) days.
- 2.4.2. Company shall be indemnified and held harmless by the customer against:
- A. Claims for libel, slander, infringement of copyright or unauthorized use of any trademark, trade name or service mark arising out of the material, data, information or other content transmitted over company's facilities; and
 - B. Claims for patent infringement arising from combining or connecting company's facilities with apparatus and systems of the Customer; and
 - C. All other claims arising out of any act or omission of the Customer in connection with any service provided by Company.
- 2.4.3. The Company is not liable for any defacement of, or damage to, the equipment or premises of a Customer resulting from the furnishing of services when such defacement or damage is not the result of the Company's negligence.

Issued: November 14, 1997

Issued By:

Robert Young
President

Business Calling Plan, Inc.
1601 E. Flamingo Road, Suite 18-109
Las Vegas, Nevada 89119
(888) 299-6618

Effective Date:

SECTION 2 - RULES AND REGULATIONS, Continued

2.4. LIABILITIES OF THE COMPANY, Continued

- 2.4.4. Company shall not be liable for, and the Customer indemnifies and holds harmless from, any and all loss claims, demands, suits or other actions or liabilities whatsoever, whether suffered, made, instituted or asserted by the Customer or by any other party or person, for any personal injury to, death of any person or persons, and for any loss, damage, defacement or destruction of the premises of the Customer or any other property, whether owned by the Customer or by others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of equipment or wiring provided by company where such installation, operation, failure to operate, maintenance, condition, location or use is not the direct result of the Company's negligence.
- 2.4.5. The Company is not liable for any failure of performance hereunder due to causes beyond its control, including, but not limited to, unavoidable interruption in the working of its circuits or those of another common carrier; acts of God, storms, fire, floods, or other catastrophes; any law, order, regulation, direction, action, or request of the United States Government, or any other governmental entity having jurisdiction over the company or of any department, agency, commission, bureau, corporation, or other instrumentality or any one or more of such instrumentality or any one or more of such governmental entities, or of any civil or military authority; national emergencies, insurrections, riots, rebellions, wars, strikes, lockouts, work stoppages or other labor difficulties; or notwithstanding anything in this tariff to the contrary, the unlawful acts of the Company's agents and employees, if committed beyond the scope of their employment.

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SECTION 2 - RULES AND REGULATIONS, Continued

2.4. LIABILITIES OF THE COMPANY, Continued

- 2.4.6. The Company shall not be liable for damages or adjustments, refunds or cancellation of charges unless the Customer has notified the Company, in writing, of any dispute concerning charges, or the basis of any claim for damages, after the invoice is rendered by the Company for the call giving rise to such dispute or claim, unless ordered by the Commission. Any such notice must set forth sufficient facts to provide the Company with a reasonable basis upon which to evaluate the Customer's claims or demands.
- 2.4.7. The Company shall not be liable for any damages, including usage charges, that the Customer may incur as a result of the unauthorized use of its communications equipment. The unauthorized use of the Customer's communications equipment includes, but is not limited to, the placement of calls from the Customer's premises and the placement of calls through Customer-controlled or Customer-provisioned equipment that are transmitted or carried over the Company's network services without the authorization of the Customer. The Customer shall be fully liable for all such charges.

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SECTION 2 - RULES AND REGULATIONS, Continued

2.5. INTERRUPTION OF SERVICE

2.5.1. Credit allowance for interruptions of service which are not due to Company's testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment and/or communications equipment provided by the Customer, are subject to the general liability provisions set forth in Section 2.4, herein. It shall be the obligation of the Customer to notify Company of any interruptions of service. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission of the Customer, not within the Customer's control.

2.5.2. No credit allowances will be allowed for an interruption of services for continuous duration of less than two hours.

2.5.3. The subscriber shall be credited for an interruption of two (2) hours or more at the rate of 1/160th for each hour over two (2) such hours of interruption up to a maximum of 6/160th multiplied by the average monthly usage bill of the Customer. If service is activated for less than one (1) month, the monthly usage amount shall be determined by extending the actual usage for the days of service to thirty (30) days.

2.6. RESTORATION OF SERVICE

The use and restoration of service in emergencies shall be in accordance with part 64, Subpart D of the Federal Communications Commission's Rules and Regulations which specifies the priority system for such activities.

2.7. MINIMUM SERVICE PERIOD

The minimum service period is one month (30 days).

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SECTION 2 - RULES AND REGULATIONS, Continued

2.8. PAYMENTS AND BILLING

- 2.8.1. Charges for service are applied on a recurring and nonrecurring basis. Service is provided and billed on a monthly (30 day) basis. The billing date is dependent on the billing cycle assigned to the subscriber. Service continues to be provided until canceled by the Customer with no less than 30 days notice.
- 2.8.2. The Customer is responsible for the payment of all charges for services furnished to the Customer. Charges are based on actual usage and are billed monthly in arrears.
- 2.8.3. Billing will be payable upon receipt and deemed past due thirty (30) days after issuance and posting of invoice. Bills not paid within thirty-one (31) days after the date of posting are subject to a 1.5% late payment charge for the unpaid balance, or the maximum allowable under state law. Each account shall be granted not less than one complete forgiveness of late payment charge. Customers shall be notified by letter when eligibility for forgiveness of late payment charge has been utilized.
- 2.8.4. The name(s) of the Customer(s) desiring to use the service must be set forth in the application for service.

2.9. BILLING DISPUTES

- 2.9.1. Billing disputes should be addressed to Company's Customer Service Organization via telephone to (888) 798-0061. Customer Service Representatives are available twenty-four (24) hours per day, seven (7) days per week.
- 2.9.2. In the case of a dispute between the Customer and the Company for service furnished to the Customer, which cannot be settled with mutual satisfaction, the Customer can take the following course of action:
 - A. First, the Customer may request, and the Company will perform, an in-depth review of the disputed amount. (The undisputed portion and subsequent bills must be paid on a timely basis or the service may be subject to disconnection).

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SECTION 2 - RULES AND REGULATIONS, Continued

2.9. BILLING DISPUTES, Continued

2.9.2., Continued

- B. Second, if there is still disagreement about the disputed amount after the investigation and review by a manager of the Company, the Customer may appeal to the Florida Public Service Commission's Division of Consumer Affairs for its investigation and decision.

The address of the Commission is:

Florida Public Service Commission
Division of Consumer Affairs
2540 Shumard Oak Boulevard
Gerald Gunter Building
Tallahassee, FL 32399-0850
Telephone: (904) 413-6100
Telephone: (800) 342-3552 (toll free)

2.10. CANCELLATION BY CUSTOMER

- 2.10.1. Customer may cancel service by providing written notice to Company thirty (30) days prior to cancellation.
- 2.10.2. Customer is responsible for usage charges while still connected to the Company's service and the payment of associated local exchange company charges, if any, for service charges.
- 2.10.3. Any non-recoverable cost of company expenditures shall be borne by the Customer if:
- A. The Customer orders service requiring special facilities dedicated to the Customer's use and then cancels the order before such service begins, before completion of the minimum period or before completion of some period mutually agreed with the Customer for the non-recoverable portions of expenditures; or

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Effective Date:

SECTION 2 - RULES AND REGULATIONS, Continued

2.10. CANCELLATION BY CUSTOMER, Continued

2.10.3., Continued

- B. Liabilities are incurred expressly on behalf of the customer by Company and not fully reimbursed by installation and monthly charges; and
- C. Based on an order for service and construction has either begun or has been completed, but no service provided.

2.11. CANCELLATION BY COMPANY

2.11.1. Company reserves the right to immediately discontinue furnishing the service to customers without incurring liability:

- A. In the event of a condition determined to be hazardous to the Customer, to other customers of the utility, to the utilities equipment, to the public or to employees of the utility; or
- B. By reason of any order or decision of a court or any other governmental authority which prohibits the Company from furnishing such service; or
- C. If the Company deems such refusal necessary to protect itself or third parties against fraud or to otherwise protect its personnel, agents, facilities or services without notice; or
- D. For unlawful use of the service or use of the service for unlawful purposes; or
- E. If the Customer provides false information to the Company, regarding the Customer's identity, address, credit-worthiness, past, current or planned use of Company's services.

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SECTION 2 - RULES AND REGULATIONS, Continued

2.11. CANCELLATION BY COMPANY, Continued

2.11.2. Company may discontinue service according to the following conditions upon ten (10) days written notice:

- A. For violation of Company's filed tariff.
- B. For the non-payment of any proper charge as provided by Company's tariff.
- C. For Customer's breach of the contract for service between the utility and the Customer.
- D. When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.

2.11.3. The discontinuance of Service(s) by the Company pursuant to this section does not relieve the Customer of any obligations to pay the Company for charges due and owing for Service(s) furnished up to the time of discontinuance. The remedies set forth herein shall not be exclusive and the company shall at all times be entitled to all the rights available to it under law or equity.

2.11.4. The Company may refuse to permit collect calling, calling card, third number billing which it determines to be fraudulent and/or may limit the use of these billing options or services.

2.12. INTERCONNECTION

2.12.1. Service furnished by Company may be interconnected with services or facilities of other authorized communications common carriers and with private systems, subject to the technical limitations established by Company. Any special interface of facilities necessary to achieve compatibility between the facilities of Company and other participating carriers shall be provided at the Customer's expense.

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SECTION 2 - RULES AND REGULATIONS, Continued

2.12. INTERCONNECTION, Continued

2.12.2. Interconnection between the facilities or services of other carriers shall be under the applicable terms and conditions of the other carriers' tariffs. The Customer is responsible for taking all necessary legal steps for interconnecting Customer provided terminal equipment or communications equipment with Company's facilities. The Customer shall secure all licenses, permits, rights-of-way, and other such arrangements necessary for interconnection.

2.13. DEPOSITS

The Company does not require a deposit from the Customer.

2.14. TAXES

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

2.15. CERTIFICATED RESALE PROHIBITED

Resale of any tariffed service appearing herein by uncertificated resellers is strictly prohibited. Applicable services may be resold only by companies authorized by the Florida Public Service Commission to provide intrastate telecommunications services, in accordance with the Commission's rules. The Company requires proof of certification in the form of a Telephone Certificate of Public Convenience and Necessity, or a copy thereof, prior to providing services for resale.

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SECTION 3 - DESCRIPTION OF SERVICE

3.1. TIMING OF CALLS

- 3.1.1. The Customer's long distance usage charge is based on the actual usage of Company's service. Usage begins when the receiver of the called number is answered (i.e., when two-way communication, often referred to as "conversation time" is possible.) The moment of the called party's answer is determined by hardware supervision in which the local telephone company sends a signal to the underlying carrier's switch or the software utilizing audio tone detection. The timing of the call begins when the called party answers and terminates when either party hangs up.
- 3.1.2. The minimum call duration for billing purposes differs between rate plans.
- 3.1.3. Usage is measured and rounded up to the next billing increment.
- 3.1.4. There is no billing for incomplete calls.

3.2. MINIMUM CALL COMPLETION RATE

Customers can expect a call completion rate of not less than 99 percent during peak use periods for all Feature Group D Equal Access 1 plus services. The call completion rate is calculated as the number of calls completed (including calls completed to a busy line or to a line which remains unanswered by the called party) divided by the number of calls attempted.

3.3. BUSINESS CALLING PLAN TELECOMMUNICATIONS SERVICES

Company provides switched access telecommunications services which allow Customers to establish a communications path between two stations by using uniform dialing plans.

- 3.3.1. "1 Plus" Long Distance Service - Switched is a switched access service, offering users outbound "1 plus" long distance telecommunications services from points originating and terminating in and between points within the State of Florida.

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SECTION 4 - RATES AND CHARGES**4.1. SERVICE CHARGES****4.1.1. Business Calling Plan, Rate Plan I**

This plan is offered to Customers with call volumes of less than \$200.00 per month and provides for an eighteen (18) second minimum call duration and six (6) second additional billing increments.

	DAY		EVENING		NIGHT	
	Initial 18 Sec.	Add'l 6 Sec.	Initial 18 Sec.	Add'l 6 Sec.	Initial 18 Sec.	Add'l 6 Sec.
Intrastate	\$0.121	\$0.040	\$0.108	\$0.036	\$0.108	\$0.036

Monthly Access Fee: \$3.78

4.1.2. Business Calling Plan, Rate Plan II

This plan is offered to Customers with call volumes of more than \$200.00 per month and provides for an eighteen (18) second minimum call duration and six (6) second additional billing increments.

	DAY		EVENING		NIGHT	
	Initial 18 Sec.	Add'l 6 Sec.	Initial 18 Sec.	Add'l 6 Sec.	Initial 18 Sec.	Add'l 6 Sec.
Intrastate	\$0.100	\$0.033	\$0.090	\$0.030	\$0.090	\$0.030

Monthly Access Fee: \$3.78

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SECTION 4 - RATES AND CHARGES, Continued**4.1. SERVICE CHARGES, Continued****4.1.3. Business Calling Plan, Rate Plan III**

This plan is offered to Customers with call volumes of less than \$200.00 per month and provides for one (1) minute billing increments.

	DAY		EVENING		NIGHT	
	Initial Minute	Add'l Minute	Initial Minute	Add'l Minute	Initial Minute	Add'l Minute
Intrastate	\$0.404	\$0.404	\$0.363	\$0.363	\$0.363	\$0.363

Monthly Access Fee: \$3.78

4.1.4. Business Calling Plan, Rate Plan IV

This plan is offered to Customers with call volumes of more than \$200.00 per month and provides for one (1) minute billing increments.

	DAY		EVENING		NIGHT	
	Initial Minute	Add'l Minute	Initial Minute	Add'l Minute	Initial Minute	Add'l Minute
Intrastate	\$0.333	\$0.333	\$0.299	\$0.299	\$0.299	\$0.299

Monthly Access Fee: \$3.78

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SECTION 4 - RATES AND CHARGES, Continued**4.1. SERVICE CHARGES, Continued****4.1.5. Business Calling Plan, Rate Plan V**

This plan is offered to Customers with call volumes of less than \$200.00 per month and provides for thirty (30) second billing increments.

	DAY		EVENING		NIGHT	
	Initial 30 Sec.	Add'l 30 Sec.	Initial 30 Sec.	Add'l 30 Sec.	Initial 30 Sec.	Add'l 30 Sec.
Intrastate	\$0.202	\$0.202	\$0.181	\$0.181	\$0.181	\$0.181

Monthly Access Fee: \$3.78

4.1.6. Business Calling Plan, Rate Plan VI

This plan is offered to Customers with call volumes of more than \$200.00 per month and provides for thirty (30) second billing increments.

	DAY		EVENING		NIGHT	
	Initial 30 Sec.	Add'l 30 Sec.	Initial 30 Sec.	Add'l 30 Sec.	Initial 30 Sec.	Add'l 30 Sec.
Intrastate	\$0.167	\$0.167	\$0.150	\$0.150	\$0.150	\$0.150

Monthly Access Fee: \$3.78

Issued: November 14, 1997

Effective Date:

Issued By:

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SECTION 4 - RATES AND CHARGES, Continued

4.2. SPECIAL RATES FOR THE HANDICAPPED

4.2.1. Directory Assistance

There shall be no charge for directory assistance calls from lines or trunks serving individuals with disabilities.

4.2.2. Hearing and Speech Impaired Persons

Intrastate toll message rates for TDD users shall be evening rates for daytime calls and night rates for evening and night calls.

4.2.3. Telecommunications Relay Service

For intrastate toll calls received from the relay service, the Company will, when billing relay calls, discount relay service calls by fifty (50) percent off of the otherwise applicable rate for a voice non-relay call except that where either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted sixty (60) percent off of the otherwise applicable rate for a voice non-relay call. The above discounts apply only to time-sensitive elements of a charge for the call and shall not apply to per call charges such as a credit card surcharge.

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Issued By:

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President

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Effective Date:

SECTION 4 - RATES AND CHARGES, Continued**4.3. TIME PERIODS**

	MON	TUE	WED	THUR	FRI	SAT	SUN
8:00 AM to 4:59 PM	Day	Day	Day	Day	Day	Night	Night
5:00 PM to 10:59 PM	Evening	Evening	Evening	Evening	Evening	Night	Evening
11:00 PM to 7:59 AM	Night	Night	Night	Night	Night	Night	Night

Calls are billed at the rate in effect for the actual time period(s) during which the call occurs. Calls that cross rate period boundaries are billed at the rates in effect for each portion of the call.

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EXHIBIT D

CUSTOMER DEPOSITS AND ADVANCE PAYMENTS
(Attached)

CUSTOMER DEPOSITS AND ADVANCE PAYMENTS

T. Applicant will not collect deposits nor will it collect payments for service more than one month in advance.

Respectfully submitted this 17 day of Nov, 1997.

Business Calling Plan, Inc.

By: 

Robert Young

President

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Telephone: (888) 299-6618

Facsimile: (888) 299-6619

EXHIBIT E

INTRASTATE NETWORK
(Attached)

INTRASTATE NETWORK

1. - 3.

Applicant owns no network transmission facilities or switching equipment. Technical services are provided by Applicant's underlying carrier(s).

4. ORIGINATING SERVICE

Applicant's subscribers may originate calls from any dual tone, multi-frequency telephone in the State of Florida.

5. TRAFFIC RESTRICTIONS

Applicant does not hold itself out to provide intraEAEA service. Applicant offers resold MTS service. Any incidental intraEAEA call would, therefore, be provided over Applicant's underlying carrier's resold MTS facilities, authorized under 25-24.471, Application for Certificate (4)(a) of the Florida Public Service Commission Rules. IntraEAEA calls should, however, be routed via the local exchange carrier.

6. CURRENT FLORIDA INTRASTATE SERVICES

Applicant has not previously provided intrastate telecommunications in Florida.

Respectfully submitted this 12 day of Nov, 1997.

Business Calling Plan, Inc.

By: _____

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EXHIBIT F

FLORIDA TELEPHONE EXCHANGES
(Attached)

FLORIDA TELEPHONE EXCHANGES

Applicant will provide service from any dual tone, multi-frequency telephone in the State of Florida. (Please see response to Exhibit E, above.)

Respectfully submitted this 12 day of Nov, 1997.

Business Calling Plan, Inc.

By: 

Robert Young

President

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EXHIBIT G

MANAGEMENT EXPERIENCE
(Attached)

**BUSINESS CALLING PLAN, INC.
SENIOR MANAGEMENT PROFILE**

Mr. Robert Young, President - Mr. Young has been involved in the telecommunications industry for over seven (7) years. He has been employed in various capacities including Sales Manager, Operations Manager, and Director of Operations. Mr. Young has extensive experience and knowledge in long distance sales and provisioning of various long distance services, including those offered by AT&T, Sprint and Witel.

EXHIBIT H

FINANCIAL STANDING

Applicant's initial capitalization is \$450,000 in cash on deposit with the Bank of America.

Respectfully submitted this 12 day of Nov, 1997.

Business Calling Plan, Inc.

By: 

Robert Young

President

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HARBOR CONSULTING GROUP INC.

REGULATORY CONSULTANTS

ORIGINAL

Gina M. Guiley

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TELEPHONE: 253.265.3910
FACSIMILE: 253.265.3912
E-MAIL: hcg@erolink.com

Via Overnight Delivery

DEPOSIT DATE
D660 NOV 21 1997

November 20, 1997

Florida Public Service Commission
Division of Records and Reporting
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0872

RE: Business Calling Plan, Inc. - Application for Original Authority

Dear Sir or Madam:

Enclosed are an original and twelve (12) copies of Business Calling Plan, Inc.'s Application for Original Authority to Provide Interexchange Telecommunications Services within the State of Florida, including the \$250.00 filing fee. This application is filed in accordance with Chapter 25-24, Section 25-24.471, Rules of the Florida Public Service Commission.

Business Calling Plan, Inc. is a Nevada-based provider of resold interexchange telecommunications services. It does not provide alternative operator services.

Please acknowledge receipt of this filing by file-stamping and returning the extra copy of the first page of the Application in the self-addressed, stamped envelope provided for this



GREG L. ERIKSEN - BAR #113420
ATTORNEY CLIENT TRUST ACCOUNT
2550 N. SANTIAGO BLVD
ORANGE, CA 92667 (714) 974-8100

ORANGE NATIONAL BANK
ORANGE, CA 92667
90-3786/1222

0041

11/17/97

PAY TO THE ORDER OF Florida Public Service Commission

\$250.00

Two Hundred Fifty and 00/100

DOLLARS

Florida Public Service Commission

DOCUMENT NUMBER - DATE

12812 NOV 21 97

MEMO Business Calling Plan, Inc.

FPS/RECORDS/REPORTING