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*Direct Dial Number
(202) 626-6884
RStup@ssd.com*

May 18, 1999

VIA OVERNIGHT DELIVERY

990645-TP

Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

**Re: Teligent Services, Inc.
Application for *Pro Forma* Assignment of Alternative Access Vendor Service
Certificate from Teligent, Inc. to Teligent Services, Inc.
Certificate 4707**

Dear Ms. Bayó:

On behalf of Teligent Services, Inc. ("TSI"), enclosed please find an original and six copies of the above-referenced application for the *pro forma* assignment from Teligent, Inc. ("Teligent") to TSI of Certificate 4850. A check in the amount of \$250.00 is also enclosed. TSI has also filed applications for the *pro forma* assignment of Certificates 4804 (ALEC) and 4850 (IXC).

Because Teligent has been found previously to be managerially, technically, and financially qualified in Florida, and because this assignment is *pro forma* in nature, TSI believes that the processing of this Application should be possible on an expedited basis. If you have any questions or require additional information, please call me at (202) 626-6884.

RECEIVED & FILED
[Signature]
FPSC-BUREAU OF RECORDS

Sincerely,

[Signature]

Robert E. Stup, Jr.
Counsel to Teligent Services, Inc. and
Teligent, Inc.

99 MAY 19 AM 9:22

SERVICE OF PROCESS
DIVISION

DOCUMENT NUMBER - DATE
06343 MAY 1999
FPSC-RECORDS/REPORTING

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

DIVISION OF TELECOMMUNICATIONS
BUREAU OF CERTIFICATION AND SERVICE EVALUATION

APPLICATION FORM

For

AUTHORITY TO PROVIDE ALTERNATIVE ACCESS VENDOR SERVICE
WITHIN THE STATE OF FLORIDA

Instructions

- A. This form is used as an application for an original certificate and for approval of the assignment or transfer of an existing certificate. In the case of an assignment or transfer, the information provided shall be for the assignee or transferee (See Appendix A).
- B. Print or Type all responses 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. Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of \$250.00 to:

Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770

Note: **No filing fee is required** for an assignment or transfer of an existing certificate to another certificated company.

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

Florida Public Service Commission
Division of Telecommunications
Bureau of Certification and Service Evaluation
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600

1. This is an application for (check one):
 - Original certificate (new company).
 - Approval of transfer of existing certificate: Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority.
 - Approval of assignment of existing certificate: Example, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.**
 - Approval of transfer of control: Example, a company purchases 51 % of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

Teligent Services, Inc. ("TSI")

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

Teligent Services, Inc.

4. Official mailing address (including street name & number, post office box, city, state, zip code):

8065 Leesburg Pike, Suite 400

Vienna, VA 22182

Attn: Carolyn K. Stup, Esq., Regulatory Counsel

5. Florida address (including street name & number, post office box, city, state, zip code):

5401 West Kennedy Boulevard, Suite 880,

Tampa, FL 33609

Attn: Legal Department

6. Structure of organization:

- | | |
|--|--|
| <input type="checkbox"/> Individual | <input checked="" type="checkbox"/> Corporation |
| <input type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Other _____ | |

7. **If individual**, provide:

Name: N/A

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ **Fax No.:** _____

Internet E-Mail Address: _____

Internet Website Address: _____

8. **If incorporated in Florida**, provide proof of authority to operate in Florida:

(a) **The Florida Secretary of State corporate registration number:** N/A

9. **If foreign corporation**, provide proof of authority to operate in Florida:

(a) **The Florida Secretary of State corporate registration number:**

TSI is a Delaware corporation formed April 28, 1999. Attached hereto as Exhibit 1 is a copy of TSI's Certificate of Incorporation. TSI is in the process of applying for authority to transact business in the state of Florida. Immediately upon receipt, TSI will forward to the Commission a copy of its Certificate to Transact Business in the State of Florida.

10. **If using fictitious name-d/b/a**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:

(a) **The Florida Secretary of State fictitious name registration number:** N/A

11. **If a limited liability partnership**, provide proof of registration to operate in Florida:

(a) **The Florida Secretary of State registration number:** N/A

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

Name: N/A

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ **Fax No.:** _____

Internet E-Mail Address: _____

Internet Website Address: _____

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) **The Florida registration number:** N/A

14. Provide **F.E.I. Number** (if applicable): Teligent Services, Inc. is in the process of obtaining its Federal Employer Identification Number and will provide it to the Commission immediately upon receipt

15. Provide the following (if applicable):

(a) Will the name of your company appear on the bill for your services? Yes

(b) If not, who will bill for your services? N/A

- (c) Who will the billed party contact to ask questions about the bills?

Deborah Brannon, Group Manager - LEC Implementation
Teligent Services, Inc.
12001 Sunrise Valley Drive, Ste. 455
Reston, VA 20191
703.755.8125 – Telephone
703.755.8076 - Facsimile
deborah.brannon @teligent.com – Email

- (d) How is this information provided?

TSI will bill for its services in exactly the same manner that Teligent currently does. Teligent's billing practices were thoroughly reviewed by the Commission as part of Teligent's application for authority and fully comply with the Commission's rules and regulations.

16. Who will serve as liaison with the Commission in regard to (please give name, title, address and telephone number):

- (a) The application;

Robert E. Stup, Jr.
Squire Sander & Dempsey L.L.P.
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004
(202) 626-6884 - Telephone
(202) 626-6780 - Facsimile
RStup@ssd.com

- (b) Official Point of Contact for the ongoing operations of the company;

Carolyn K. Stup, Regulatory Counsel
Teligent Services, Inc.
8065 Leesburg Pike, Suite 400
Vienna, VA 22182
(703) 762-5143 – Telephone
(703) 762-5584 - Facsimile
carolyn.stup@teligent.com – Email

- (c) Complaints/Inquiries from customers;

Laura Catuska, Director, Customer Services
Teligent Services, Inc.
460 Herndon Parkway, Suite 100
Herndon, VA 20171
(703) 326-4891- Telephone
(703) 326-4818 - Facsimile
laura.catuska @teligent.com - Email

17. List the states in which the applicant:

- (a) Has operated as an Alternative Access Vendor. None, TSI has not yet provided telecommunications services in Florida or any other state. TSI's parent company, Teligent, currently provides access services in the following states: Texas, California, Colorado, Delaware, Florida, Georgia, Illinois, Louisiana, Maryland, Massachusetts, New York, Pennsylvania, Virginia, and Wisconsin.
- (b) Has applications pending to be certificated as an Alternative Access Vendor. TSI has applied or will apply for authority to provide access services in 39 states and the District of Columbia.¹ In some jurisdictions, as in Florida, it is submitting applications to transfer or assign the certificates held by Teligent. In other jurisdictions TSI is seeking authority in order to "step into the shoes" of Teligent as the local service provider and, once TSI is authorized Teligent will turn in its authorizations.

¹ The only state in which TSI will not seek new authority or to assign Teligent's current authority is Virginia. Virginia law requires that the services that Teligent provides be provided by a Virginia Public Service Corporation. As such, Teligent's wholly-owned subsidiary, Teligent of Virginia, Inc., serves as Teligent's operating company to provide telecommunications services to customers in the Commonwealth of Virginia.

(c) Is certificated to operate as an Alternative Access Vendor. None, TSI's parent company, Teligent, Inc., however, is certificated to operate as an access service provide in 38 states and the District of Columbia, and TSI's affiliate, Teligent of Virginia, Inc. is certificated to operate as an access provider in the Commonwealth of Virginia. As part of a broader corporate reorganization to facilitate certain financial, business, and administrative objectives, Teligent recently created a wholly-owned subsidiary, TSI, which will act as Teligent's operating company to provide telecommunications services to customers and will be the direct parent of Teligent's other current domestic subsidiaries. Teligent will restructure itself similar to the holding company structure used by numerous other certificated carriers in Florida. Upon receipt of the necessary approvals, all of the state authorizations currently held by Teligent will be assigned to TSI and Teligent's current employees will become employees of TSI.

(d) Has been denied authority to operate as an Alternative Access Vendor and the circumstances involved. **None**

(e) Has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved. **None**

(f) Has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved. **None**

18. Indicate if any of the officers, directors, 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. Provide explanation.

No

(b) an 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.

Teligent Services, Inc., is a wholly-owned subsidiary of Teligent, Inc., which holds Florida Certificates 4804 (ALEC); 4707 (Alternative Access Vendor); and 4850 (Reseller), all of which are subject to pending assignment applications. Officers and Directors of TSI have equity interests in Teligent, TSI's parent company. In addition, individual officers may hold equity interests in other telecommunications services providers as personal investments. No Teligent or TSI officer holds a 5% of greater interest in any telecommunications services provider other than Teligent.

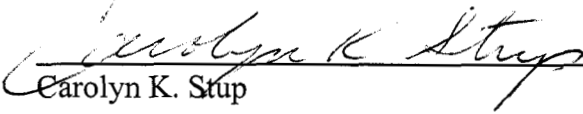
19. The applicant will provide the following AAV services (check all that apply):

- a. Intraexchange private line service to an affiliate.
- b. Interexchange private line service to an affiliate.
- c. Special access as part of a private line dedicated service.
- d. Special access to an IXC switched network.
- e. Private line services (Channel Services)
 - DS-0, 64 kb/s
 - DS-1, 1.54 Mb/s
 - DS-2, 6.31 Mb/s
 - DS-3, 44.76 Mb/s

CERTIFICATE TRANSFER, OR ASSIGNMENT STATEMENT

I, Carolyn K. Stup, Regulatory Counsel and Assistant Secretary of Teligent, Inc., the current holder of Florida Public Service Commission Certificate Number 4707, have reviewed this application and joins in the petitioner's request for an assignment of the above-mentioned certificate.

UTILITY OFFICIAL:

 _____ Carolyn K. Stup	_____ May 18, 1999 Date
_____ Regulatory Counsel and Assistant Secretary Title	_____ (703) 762-5143 Telephone No.
_____ Address: 8065 Leesburg Pike, Suite 400 _____ Vienna, VA 22182	_____ (703) 762-5584 Fax No.

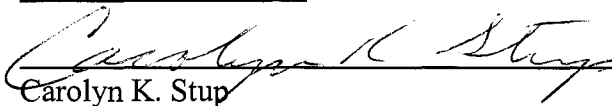
CUSTOMER DEPOSITS AND ADVANCE PAYMENTS

A statement of how the Commission can be assured of the security of the customer's deposits and advance payments may be responded to in one of the following ways (applicant please check one):

- () **The applicant will not collect deposits nor will it collect payments for service more than one month in advance.**

- () **The applicant will file with the Commission and maintain a surety bond in an amount equal to the current balance of deposits and advance payments in excess of one month. (Bond must accompany application.)**

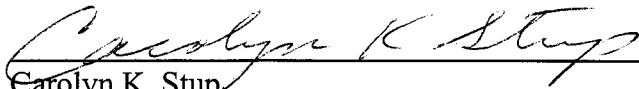
UTILITY OFFICIAL:

 Carolyn K. Stup	_____	May 18, 1999	_____
		Date	
Regulatory Counsel and Assistant Secretary	_____	(703) 762-5143	_____
Title		Telephone No.	
Address: 8065 Leesburg Pike, Suite 400	_____	(703) 762-5584	_____
		Fax No.	
Vienna, VA 22182	_____		

CURRENT FLORIDA INTRASTATE SERVICES

Applicant has NOT previously provided intrastate telecommunications in Florida.

UTILITY OFFICIAL:



Carolyn K. Stup

May 15, 1999
Date

Regulatory Counsel and Assistant Secretary
Title

(703) 762-5143
Telephone No.

Address: 8065 Leesburg Pike, Suite 400

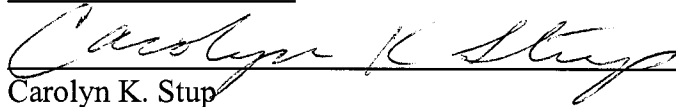
(703) 762-5584
Fax No.

Vienna, VA 22182

**** APPLICANT ACKNOWLEDGEMENT 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 fee of \$50 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 alternative access vendor service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding AAV service.

UTILITY OFFICIAL:



Carolyn K. Stup

May 18, 1999

Date

Regulatory Counsel and Assistant Secretary

Title

(703) 762-5143

Telephone No.

Address: 8065 Leesburg Pike, Suite 400

(703) 762-5584

Fax No.

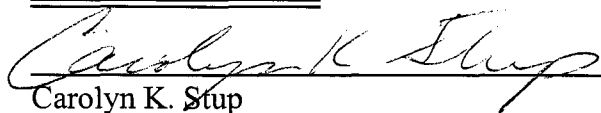
Vienna, VA 22182

AFFIDAVIT

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide interexchange telecommunications services in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

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

UTILITY OFFICIAL:


Carolyn K. Stup

May 15, 1999

Date

Regulatory Counsel and Assistant Secretary

Title

(703) 762-5143

Telephone No.

Address: 8065 Leesburg Pike, Suite 400

(703) 762-5584

Fax No.

Vienna, VA 22182

Exhibit 1
TSI's Certificate of Incorporation from the State of Delaware

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "TELIGENT SERVICES, INC.", FILED IN THIS OFFICE ON THE TWENTY-EIGHTH DAY OF APRIL, A.D. 1999, AT 3:30 O'CLOCK P.M.



A handwritten signature in cursive script, reading "Edward J. Freel", is written over a horizontal line.

Edward J. Freel, Secretary of State

3030243 8100

991180929

9729955

AUTHENTICATION:

DATE: 05-06-99

CERTIFICATE OF INCORPORATION

OF

TELIGENT SERVICES, INC.

FIRST: The name of the Corporation is Teligent Services, Inc. (hereinafter the "Corporation").

SECOND: The address of the registered office of the Corporation in the State of Delaware is 1209 Orange Street, in the City of Wilmington, County of New Castle. The name of its registered agent at that address is The Corporation Trust Company.

THIRD: The purpose of the Corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of the State of Delaware as set forth in Title 8 of the Delaware Code (the "GCL").

FOURTH: The total number of shares of stock which the Corporation shall have authority to issue is One Thousand (1,000) shares of Common Stock, each having a par value of one cent (\$0.01).

FIFTH: The name and mailing address of the Sole Incorporator is as follows:

<u>Name</u>	<u>Address</u>
Mary E. Keogh	P.O. Box 636 Wilmington, DE 19899

SIXTH: The following provisions are inserted for the management of the business and the conduct of the affairs of the Corporation, and for further definition, limitation and regulation of the powers of the Corporation and of its directors and stockholders:

- (1) The business and affairs of the Corporation shall be managed by or under the direction of the Board of Directors.

(2) The directors shall have concurrent power with the stockholders to make, alter, amend, change, add to or repeal the By-Laws of the Corporation.

(3) The number of directors of the Corporation shall be as from time to time fixed by, or in the manner provided in, the By-Laws of the Corporation. Election of directors need not be by written ballot unless the By-Laws so provide.

(4) No director shall be personally liable to the Corporation or any of its stockholders for monetary damages for breach of fiduciary duty as a director, except for liability (i) for any breach of the director's duty of loyalty to the Corporation or its stockholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) pursuant to Section 174 of the GCL or (iv) for any transaction from which the director derived an improper personal benefit. Any repeal or modification of this Article SIXTH by the stockholders of the Corporation shall not adversely affect any right or protection of a director of the Corporation existing at the time of such repeal or modification with respect to acts or omissions occurring prior to such repeal or modification.

(5) In addition to the powers and authority hereinbefore or by statute expressly conferred upon them, the directors are hereby empowered to exercise all such powers and do all such acts and things as may be exercised or done by the Corporation, subject, nevertheless, to the provisions of the GCL, this Certificate of Incorporation, and any By-Laws adopted by the stockholders; provided, however, that no By-Laws hereafter adopted by the stockholders shall invalidate any prior act of the directors which would have been valid if such By-Laws had not been adopted.

SEVENTH: Meetings of stockholders may be held within or without the State of Delaware, as the By-Laws

may provide. The books of the Corporation may be kept (subject to any provision contained in the GCL) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors or in the By-Laws of the Corporation.

EIGHTH: The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred upon stockholders herein are granted subject to this reservation.

I, THE UNDERSIGNED, being the Sole Incorporator hereinbefore named, for the purpose of forming a corporation pursuant to the GCL, do make this Certificate, hereby declaring and certifying that this is my act and deed and the facts herein stated are true, and accordingly have hereunto set my hand this 28th day of April, 1999.



Mary E. Reogh
Sole Incorporator