

# BINGHAM McCUTCHEN

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Ulises R. Pin

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Our File No.:

CLERK O60354-TA

April 20, 2006

# VIA FEDERAL EXPRESS

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Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Application of Latin American Nautilus Services, Inc. to Provide AAV Services

To Whom It May Concern:

Enclosed for filing on behalf of Latin American Nautilus Services, Inc. ("LAN Services") please find an original and three (3) copies of LAN Services' application for authority to provide Alternative Access Vendor services in Florida. Also enclosed is a check in the amount of \$250.00 to cover the application filing fee.

Please date-stamp the enclosed extra copy of this filing and return it in the self-addressed, stamped envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact us.

Respectfully submitted,

Ulises R. Pin

Counsel for Latin American Nautilus Services, Inc.

**Enclosures** 

cc:

Rodolfo López Jean L. Kiddoo Direct received with filing and forwarded to Fiscal for deposit. Fiscal to forward deposit information to Records.

tials of person who forwarded check:

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-DUREAU OF RECONDS

## FLORIDA PUBLIC SERVICE COMMISSION

#### DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT

# 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 sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 9).
- B. Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of **\$250.00** to:

Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770

- E. A filing fee of \$250.00 is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.730, F.A.C.).
- F. If you have questions about completing the form, contact:

Florida Public Service Commission Division of Competitive Markets and Enforcement 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 (850) 413-6600

FORM PSC/CMP-43 (01/06) Required by Commission Rule Nos. 25-24.720, 25-24.730 Note: To complete this interactive form using your computer, use the tab key ENT NUMBER-DATE to navigate between data entry fields.

•	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 authority rather that apply for a new certificate.				
	Approval of Assignment of existing Certificate: Example, a certificated company purchases an existing company and desires to retain the existing certificate of authority and tariff.				
	Approval for transfer of control: Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.				
2.	Name of company: Latin American Nautilus Services, Inc.				
3.	Name under which applicant will do business (fictitious name, etc.):				
	Latin American Nautilus Services, Inc.				
1.	Official mailing address:				
	Street/Post Office Box: 200 South Biscayne Boulevard, Suite 4600 City: Miami State: Florida Zip: 33131				
5.	Florida address:				
	Street/Post Office Box: 200 South Biscayne Boulevard, Suite 4600 City: Miami State: Florida Zip: 33131				
6.	Structure of organization:				
	☐ Individual ☐ Corporation   ☐ Foreign Corporation ☐ Foreign Partnership   ☐ General Partnership ☐ Limited Partnership   ☐ Other,				

7.	If individ	ual,	provide:

Name: Not Applicable

Title:

Street/Post Office Box:

City: State: Zip:

Telephone No.:

Fax No.:

E-Mail Address: Website Address:

- 8. <u>If incorporated in Florida</u>, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is: P01000002638
- **9.** <u>If foreign corporation,</u> provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is: Not Applicable
- 10. <u>If using fictitious name (d/b/a)</u>, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida. The Florida Secretary of State fictitious name registration number is: Not Applicable
- 11. <u>If a limited liability partnership</u>, please proof of registration to operate in Florida. The Florida Secretary of State registration number is: Not Applicable
- **12.** <u>If a partnership</u>, provide name, title and address of all partners and a copy of the partnership agreement.

Name: Not Applicable

Title:

Street/Post Office Box:

City: State: Zip:

Telephone No.:

Fax No.:

E-Mail Address: Website Address:

**13.** <u>If a foreign limited partnership,</u> provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. The Florida registration number is: Not Applicable

**14**. Provide <u>**F.E.I. Number**</u>(if applicable): 65-1074373 **15.** Provide the following (if applicable): (a) Will the name of your company appear on the bill for your services?  $\boxtimes$ Yes No (b) If not, who will bill for your services? Name: Not Applicable Title: Street/Post Office Box: City: State: Zip: Telephone No.: Fax No.: E-Mail Address: Website Address: (c) Who will the billed party contact to ask questions about the bill? Name: Janette Patterson Title: Telephone No.: (786) 425-2460 ext. 104 E-Mail Address: Janette.Patterson@lanautilus.com (d) How is this information provided? Information will be provided in the Service Contract.

# 16. Who will serve as liaison to the Commission in regard to the following?

# (a) The application:

Name: Jean L. Kiddoo and/or Ulises R. Pin

Title: Bingham McCutchen, LLP

Street name & number: 3000 K Street, NW, Suite 300

Post office box: City: Washington

State: DC Zip: 20007

Telephone No.: (202) 373-6000

Fax No.: (202) 424-7645

E-Mail Address: jean.kiddoo@bingham.com or u.pin@bingham.com

Website Address: http://www.bingham.com

# (b) Official point of contact for the ongoing operations of the company:

Name: Jose Angel Benito Title: Chief Operating Officer

Street name & number: 200 South Biscayne Boulevard, Suite 4600

Post office box: City: Miami State: Florida Zip: 33131

Telephone No.: (786) 425-2460

Fax No.: (786) 425-2455

E-Mail Address: jose.benito@lanautilus.com Website Address: http://www.lanautilus.com

# (c) Complaints/Inquiries from customers:

Name: Jose Angel Benito Title: Chief Operating Officer

Street/Post Office Box: 200 South Biscayne Boulevard, Suite 4600

City: Miami State: Florida Zip: 33131

Telephone No.: (786) 425-2460

Fax No.: (786) 425-2455

E-Mail Address: jose.benito@lanautilus.com Website Address: http://www.lanautilus.com

17. List the states in which the applicant:

(a) has operated as an Alternative Access Vendor.

None

(b) has applications pending to be certificated as an Alternative Access Vendor.

None

(c) is certificated to operate as an Alternative Access Vendor.

None

(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 (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, provide explanation.

## None

(b) granted or denied an alternative access vendor certificate in the State of Florida (this includes active and canceled alternative access vendor certificates). If yes, provide explanation and list the certificate holder and certificate number.

Applicant's parent company, Latin American Nautilus USA, Inc., (TA 063) has received certification from the Commision as an alternative access vendor under certificate number 8056.

(c) 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.

Applicant's directors and officers are also directors and officers of Applicant's parent company, Latin American Nautilus USA, Inc. (TA 063).

# THIS PAGE MUST BE COMPLETED AND SIGNED

**REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

**RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of alternative access vendor (AAV) service in Florida.

**APPLICANT ACKNOWLEDGEMENT:** 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 alternative access vendor service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules 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."

# Company Owner or Officer

Print Name: Jose Angel Benito Title: Chief Operating Officer Telephone No.: (786) 425-2460

E-Mail Address: jose.benito@lanautilus.com

Signature:

Date: