

Vinson & Elkins

ATTORNEYS AT LAW

VINSON & ELKINS LLP
THE WILLARD OFFICE BUILDING
1455 PENNSYLVANIA AVE. N.W.
WASHINGTON, D.C. 20004-1008

TELEPHONE (202) 639-4500
FAX (202) 639-6604

#108361
3/22/96 \$250.00
JAF

WRITER'S TELEPHONE

(202) 639-6722

DEPOSIT TREAS. REC. DATE
0278 MAR 26 '96

March 22, 1996

Florida Public Service Commission
Division of Records & Reporting
Capital Circle Office Center
2540 Shumard Oak Boulevard
Gunter Building
Tallahassee, Florida 32399-0850

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
96 MAR 25 AM 10:29
MAIL ROOM

Dear Commissioners:

960373-TI

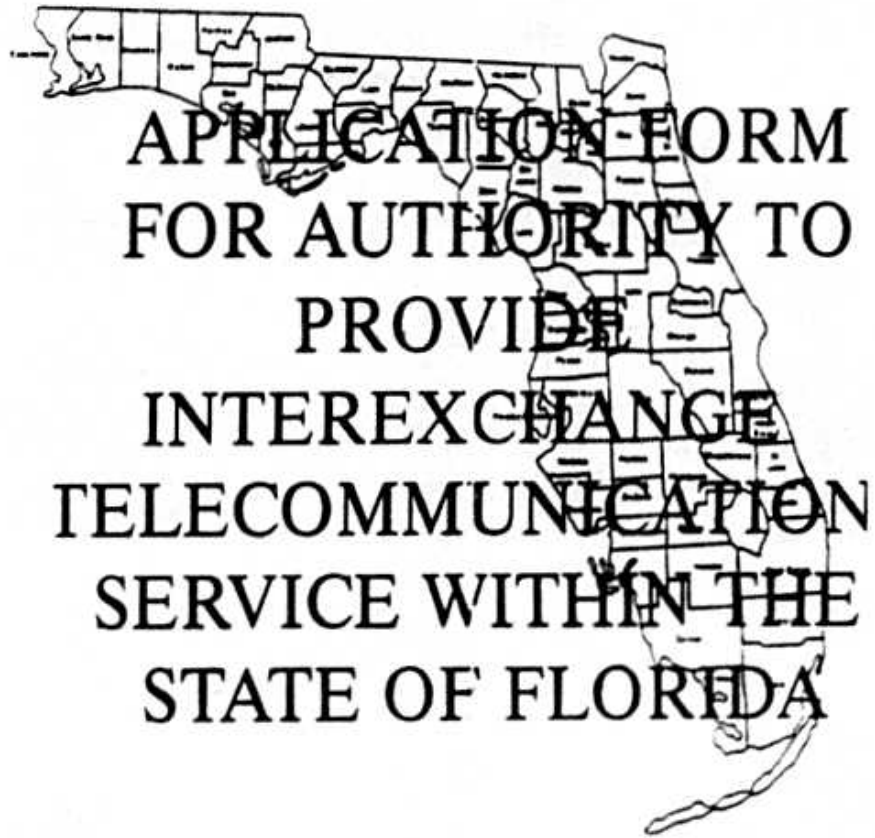
North American Communications Control, Inc. ("NACC"), by its attorneys, hereby submits its application pursuant to Florida Public Utility Commission Rule Nos. 25-24.471, 25-24.473, and 25-24.480(2) for approval to offer services to the public as an interexchange reseller in the State of Florida. NACC requests that you confirm receipt of this filing by returning a date-stamped copy of this letter in the enclosed self-addressed, stamped envelope.

Any questions with respect to this filing should be directed to Robert A. Mazer or Albert D. Shuldiner, legal counsel to NACC.

Respectfully submitted,

Heidi J. Stock
Counsel for North American
Communications Control, Inc.

Enclosures



APPLICATION FORM
FOR AUTHORITY TO
PROVIDE
INTEREXCHANGE
TELECOMMUNICATION
SERVICE WITHIN THE
STATE OF FLORIDA

DOCUMENT NUMBER-DATE

03588 MAR 26 88

7PSC-RECORDS/REPORTING

**** 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

1. This is an application for (check one):

- Original Authority (New company).
- Approval of Transfer (To another certificated company).
- Approval of Assignment of existing certificate (To a noncertificated company).
- Approval for transfer of control (To another certificated company).

2. Select what type of business your company will be conducting (check all that apply):

- Facilities based carrier - company owns and operates or plans to own and operate telecommunications switches and transmission facilities in Florida.
- Operator Service Provider - company provides or plans to provide alternative operator services for IXCs; or toll operator services to call aggregator locations; or clearinghouse services to bill such calls.
- Reseller - company has or plans to have one or more switches but primarily leases the transmission facilities of other carriers. Bills its own customer base for services used.
- Switchless rebiller - company has no switch or transmission facilities but may have a billing computer. Aggregates traffic to obtain bulk discounts from underlying carrier. Rebills end users at a rate above its discount but generally below the rate end users would pay for unaggregated traffic.
- Multi-Location Discount Aggregator - company contracts with unaffiliated entities to obtain bulk/volume discounts under multi-location discount plans from certain underlying carriers. Then offers the resold service by enrolling unaffiliated customers.

3. Name of corporation, partnership, cooperative, joint venture or sole proprietorship:

North American Communications Control, Inc.

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

North American Communications Control, Inc.

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

437 West 16th Street
New York, New York 10011

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

None

7. Structure of organization;

Individual Corporation
 Foreign Corporation Foreign Partnership
 General Partnership Limited Partnership
 Other, _____

8. If applicant is an individual or partnership, please give name, title and address of sole proprietor or partners.

(a) Provide proof of compliance with the foreign limited partnership statute (Chapter 620.169 FS), if applicable.

(b) Indicate if the individual or any of the partners have previously been:

(1) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings.

(2) 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.

9. If incorporated, please give:

- (a) Proof from the Florida Secretary of State that the applicant has authority to operate in Florida. See Exhibit A.

Corporate charter number: F96000001058

- (b) Name and address of the company's Florida registered agent. CT Corporation Systems
1200 South Pine Island Rd.
Plantation, Florida 33324
- (c) Provide proof of compliance with the fictitious name statute (Chapter 865.09 FS), if applicable.

Fictitious name registration number: N/A

- (c) Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(1) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. No.

(2) 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. No.

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

- (a) The application;

Robert A. Mazer, Esq.
Albert Shuldiner, Esq.
Vinson & Elkins
1455 Pennsylvania Ave., N.W.
Washington, D.C. 20004

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

James Milana
President
North American Communications Control, Inc.
437 West 16th Street
New York, New York 10011

(c) **Tariff;**
See response to 10(a).

(d) **Complaints/Inquiries from customers;**
See response to 10(a).

11. List the states in which the applicant:

(a) **Has operated as an interexchange carrier.**
New York; New Jersey

(b) **Has applications pending to be certificated as an interexchange carrier.**
California; Pennsylvania; Connecticut

(c) **Is certificated to operate as an interexchange carrier.**
New York; New Jersey;

(d) **Has been denied authority to operate as an interexchange carrier 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

12. What services will the applicant offer to other certificated telephone companies:

() **Facilities.** () **Operators.**
() **Billing and Collection.** () **Sales.**
() **Maintenance.**
() **Other:** None

13. Do you have a marketing program?

Yes

14. Will your marketing program:

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

15. Explain any of the offers checked in question 14 (To whom, what amount, type of franchise, etc.).

Commissions will be paid to independent agents of North American Communications Control, Inc. ("NACC") based upon volume of traffic.

16. 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) _____

* Note: NACC will provide service only to the business offices of hotels, motels, and universities.

17. Please provide the following (if applicable):

(a) Will the name of your company appear on the bill for your services, and if not who will the billed party contact to ask questions about the bill (provide name and phone number) and how is this information provided?

Yes

(b) Name and address of the firm who will bill for your service.

NACC will bill for its services.

18. Please submit the proposed tariff under which the company plans to begin operation. Use the format required by Commission Rule 25-24.485 (example enclosed).

See Exhibit B

19. The applicant will provide the following interexchange carrier services (Check all that apply):

MTS with distance sensitive per minute rates
 Method of access is FGA
 Method of access is FGB
 Method of access is FGD
 Method of access is 800

MTS with route specific rates per minute
 Method of access is FGA
 Method of access is FGB
 Method of access is FGD
 Method of access is 800

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 presubscribed customers
- Available to non presubscribed 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

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

In Equal Access Exchange Areas, end users may access MTS services by dialing directly the number they wish to call. If equal access is not available, end users may access NACC's network by dialing the PIC code of the interexchange carrier from which NACC leases telecommunications capacity.

21. Other:

ATTACHMENTS:

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

**** APPENDIX A ****

CERTIFICATE TRANSFER STATEMENT

I, (TYPE NAME) _____,
(TITLE) _____, of (NAME OF COMPANY)
_____, and current
holder of certificate number _____, have reviewed
this application and join in the petitioner's request for a
transfer of the above-mention certificate.

UTILITY OFFICIAL:

Signature

Date

Title

Telephone No.

NOT APPLICABLE

**** APPENDIX B ****

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):

- (X) 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:

James Milana, President
Signature
James Milana

President

Title

3/15/96
Date

(212) 255-4040
Telephone No.

**** APPENDIX C ****

INTRASTATE NETWORK

1. **POP:** Addresses where located, and indicate if owned or leased.

1) See note 1. 2)

3) 4)

2. **SWITCHES:** Address where located, by type of switch, and indicate if owned or leased.

1) See note 1. 2)

3) 4)

3. **TRANSMISSION FACILITIES:** Pop-to-Pop facilities by type of facilities (microwave, fiber, copper, satellite, etc.) and indicate if owned or leased.

1) POP-to-POP TYPE OWNERSHIP

2) See note 1.

4. **ORIGINATING SERVICE:** Please provide the list of exchanges where you are proposing to provide originating service within thirty (30) days after the effective date of the certificate (Appendix D).

See note 1.

Note 1: North American is a switchless rebiller and, therefore, does not operate switches or facilities within the State of Florida.

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).

NACC will provide only interLATA telecommunications services.

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?

UTILITY OFFICIAL:

James Milana, President
Signature

James Milana

President

Title

3/15/96
Date

(212) 255-4040

Telephone No.

**** 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 interexchange telephone service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding AAV 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.

UTILITY OFFICIAL:

James Milana, President
Signature
James Milana
President
Title

3/15/96
Date

(212) 255-4040
Telephone No.

**** 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).

**** FLORIDA EAS FOR MAJOR EXCHANGES ****

<u>Extended Service Area</u>	<u>with</u>	<u>These Exchanges</u>
PENSACOLA:		Cantonment, Gulf Breeze Pace, Milton Holley-Navarre.
PANAMA CITY:		Lynn Haven, Panama City Beach, Youngstown-Fountain and Tyndall AFB.
TALLAHASSEE:		Crawfordville, Havana, Monticello, Panacea, Sopchoppy and St. Marks.
JACKSONVILLE:		Baldwin, Ft. George, Jacksonville Beach, Callahan, Maxville, Middleburg Orange Park, Ponte Vedra and Julington.
GAINESVILLE:		Alachua, Archer, Brooker, Hawthorne, High Springs, Melrose, Micanopy, Newberry and Waldo.
OCALA:		Belleview, Citra, Dunnellon, Forest Lady Lake (B21), McIntosh, Oklawaha, Orange Springs, Salt Springs and Silver Springs Shores.

** FLORIDA EAS MAJOR EXCHANGES CONTINUE **

DAYTONA BEACH:	New Smyrna Beach.
TAMPA:	CentralNone EastPlant City NorthZephyrhills SouthPalmetto WestClearwater
CLEARWATER:	St. Petersburg, Tampa-West and Tarpon Springs.
ST. PETERSBURG:	Clearwater.
LAKELAND:	Bartow, Mulberry, Plant City, Polk City and Winter Haven.
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.

** FLORIDA EAS MAJOR EXCHANGES CONTINUE **

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

* North American Communications Control, Inc. seeks to provide service throughout the state of Florida in all Florida telephone exchanges.

FLORIDA TELEPHONE EXCHANGES

PERSON COMPLETING FORM	James Milana			SIGNATURE	DATE		
Alachua.....	Cherry Lake.....	Ft. Meade.....	Jacksonville.....	Neibourne.....	Panama City.....	Spring Lake.....	
Alford.....	Chiefland.....	Ft. Myers.....	Jacksonville Bch..	Neiross.....	Panama City Beach..	Starke.....	
Alligator Point...	Chipley.....	Ft. Myers Beach...	Jasper.....	Niami.....	Panama.....	Stuart.....	
Altha.....	Citra.....	Ft. Pierce.....	Jay.....	Nicanopy.....	Parvasola.....	Sugarloaf Key.....	
Apalachicola.....	Clearwater.....	Ft. Walton Beach...	Jennings.....	Nidaleburg.....	Parvin.....	Sunny Hills.....	
Apopka.....	Clermont.....	Ft. White.....	Jensen Beach.....	Hilton.....	Perry.....	Tallahassee.....	
Arcadia.....	Clewiston.....	Frostproof.....	Judington.....	Melrose.....	Piercen.....	Tampa.....	
Archer.....	Cocoa.....	Frostproof.....	Jupiter.....	Nauticella.....	Pine Island.....	Tarpon Springs....	
Astor.....	Cocoa Beach.....	Gainesville.....	Katonah Beach.....	Norwards.....	Plant City.....	Tavares.....	
Aven Park.....	Carol Springs.....	Geneva.....	Kannapolis.....	Norse Haven.....	Polk City.....	The Beaches.....	
Barboursville.....	Cattula.....	Glendale.....	Key Largo.....	Northeast.....	Polk Park.....	Titusville.....	
Barclay.....	Crawfordville.....	Graceville.....	Key West.....	Ruberry.....	Poppono Beach.....	Tranton.....	
Bartow.....	Crescent City.....	Grand Ridge.....	Keystone Heights..	Rucon.....	Porco De Leon.....	Trilacachoo.....	
Belle Glade.....	Crestview.....	Green Cove Spa....	Kingalay Lake.....	Nyctha.....	Ponte Vedra Beach..	Tyndall AFB.....	
Belleview.....	Cross City.....	Greenboro.....	Kissimmee.....	Sapico.....	Port Charlotte....	Umatilla.....	
Beverly Hills....	Crystal River.....	Greenville.....	La Belle.....	Saw Port Richy... ..	Port St Joe.....	Valparaiso.....	
Big Pine.....	Dade City.....	Greensand.....	Lady Lake.....	Saw Bayra Beach..	Port St Lucie.....	Venice.....	
Blountstown.....	Daytona Beach.....	Gretna.....	Lake Dunn Vista..	Sawberry.....	Punta Gorda.....	Vernon.....	
Boca Grande.....	DeBary.....	Greveland.....	Lake Butler.....	North Cape Coral..	Quincy.....	Vero Beach.....	
Boca Raton.....	Deerfield Beach...	Gulf Breeze.....	Lake City.....	North Dade.....	Ralford.....	Wald.....	
Bonifay.....	DeFuniak Springs..	Haines City.....	Lake Placid.....	North Fort Myers..	Ready Creek.....	Weinert Hill.....	
Bonita Springs...	Deland.....	Hastings.....	Lake Wales.....	North Key Largo... ..	Reynolds Hill.....	Wuchula.....	
Bonling Green....	DeLeon Springs....	Havana.....	Lakeland.....	North Naples.....	St. Augustine.....	Wuchinchoo Spa... ..	
Bonnton Beach....	DeLray Beach.....	Southern.....	Laurel Hill.....	North Port.....	St. Cloud.....	Wichita.....	
Bradenton.....	Destin.....	High Springs.....	Lantoy.....	Oak Hill.....	St. Marks.....	Wilton.....	
Branford.....	Deuling Park.....	Billiard.....	Lee.....	Ocala.....	St. Petersburg....	West Kissimmee....	
Bristow.....	Dunnellon.....	Dade Sand.....	Leesburg.....	Okechobee.....	Salt Springs.....	West Palm Beach... ..	
Bunn.....	East Orange.....	Dolley Boverro... ..	Lakhigh Acres.....	Okechobee.....	San Antonio.....	Westville.....	
Buflor.....	Eastpoint.....	Hollywood.....	Live Oak.....	Old Town.....	Sanderson.....	Wuchitcho.....	
Bucksville.....	East Gullie.....	Bunnstod.....	Lynn Haven.....	Orange City.....	Sanford.....	White Springs.....	
Bunnell.....	Englewood.....	Bunnossee Springs..	Luroville.....	Orange Park.....	Sanibel-Captiva... ..	Wildwood.....	
Bushnell.....	Eustis.....	Bunford.....	MacClenny.....	Orange Springs... ..	Santa Rosa Beach..	Williston.....	
Calkhan.....	Everglades.....	Bunoy.....	Madison.....	Orlando.....	Sarasota.....	Windsore.....	
Canterment.....	Fernandina Beach..	Bunson.....	Melrose.....	Oviedo.....	Sarasota Beach....	Winter Garden....	
Cape Coral.....	Flagler Beach.....	Imahalo.....	Marathon.....	Pace.....	Sebastian.....	Winter Haven.....	
Cape Lee.....	Florcham.....	Indian Lake.....	Marco Island.....	Palmetto.....	Sabring.....	Winter Park.....	
Carrabelle.....	Flo Boys Ranch....	Indiantown.....	Marianna.....	Palotke.....	Shelton.....	Yardcutman.....	
Cobb Keys.....	Forest.....	Interlachen.....	Nanville.....	Palm Coast.....	Silver Sp. Shores..	Youngtown-Fount..	
Century.....	Ft. George.....	Inverness.....	Nayo.....	Palmetto.....	Brook.....	Yulee.....	
Chattahoochee....	Ft. Lauderdale....	Islamorada.....	McIntosh.....	Panacea.....	Sopchappy.....	Zephyrhills.....	
						Zolfo Springs.....	

**** 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 (11/91)

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.

SUBSCRIBER, CUSTOMER: These terms may be used interchangeably herein and shall mean any person, firm, partnership, corporation, municipality, cooperative organization, or governmental agency supplied with communication service by a telephone company.

SUBSCRIBER LINE: The circuit or channel used to connect the subscriber station with the central office equipment.

SWITCHING CENTER: Location at which telephone traffic, either local or toll, is switched or connected from one circuit or line to another. A local switching center may be comprised of several central office units.

TRUNK: A communication channel between central office units or entities, or private branch exchanges.

EXHIBIT A

**EVIDENCE OF QUALIFICATION OF
NORTH AMERICAN COMMUNICATIONS CONTROL, INC.
TO DO BUSINESS IN STATE OF FLORIDA**

EXHIBIT B

TARIFF OF
NORTH AMERICAN COMMUNICATIONS CONTROL, INC.

FLORIDA PUBLIC SERVICE COMMISSION
DIVISION OF COMMUNICATIONS
BUREAU OF SERVICE EVALUATION
TARIFF APPLICABLE TO
INTEREXCHANGE TELECOMMUNICATIONS SERVICE
WITHIN THE STATE OF FLORIDA
PROVIDED BY
NORTH AMERICAN COMMUNICATIONS, INC.

Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard, Center Building
Tallahassee, Florida 32399-0850

TITLE SHEET

FLORIDA TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to interexchange telecommunications services provided by North American Communications Control, Inc. ("NACC" or "the Company"). This tariff applies to services furnished within the state of Florida. This tariff is on file with the Florida Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business at 437 West 16th Street, New York, N.Y., 10011.

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

CHECK SHEET

The sheets listed below are effective as of the date shown at the bottom of the respective sheet(s). The original and revised sheets below comprise all changes from the original tariff and are currently in effect as of the date given at the bottom of this page.

SHEET	REVISION
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

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

TABLE OF CONTENTS

Title Sheet 1

Check Sheet 2

Table of Contents 3

Symbols Sheet 4

Tariff Format Sheets 5

Section 1 - Technical Terms and Abbreviations 7

Section 2 - Rules and Regulations 8

Section 3 - Description of Service 14

Section 4 - Rates 16

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SYMBOLS SHEET

The following are the only symbols used for the purposes indicated below:

- D - Delete or Discontinue
- I - Change Resulting In An Increase to A Customer's Bill
- M - Moved From Another Tariff Location
- N - New
- R - Change Resulting In A Reduction To A Customer's Bill
- T - Change in Text Or Regulation But No Change In Rate or Charge

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

TARIFF FORMAT SHEETS

A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. 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 page. These numbers are used to determine the most current sheet version on file with the FPSC. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. that the FPSC follows in its tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet 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).

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

TARIFF FORMAT SHEETS

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 sheets 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 (*). No symbols may be used to indicate revisions other than the symbols that appear on the Symbols Sheet. The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the FPSC.

Issued: March __, 1996

by:

James Milana, President
437 West 16th Street
New York, New York 10011

EFFECTIVE: _____

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An access line provided by the Local Exchange Company in accordance with its tariffs.

Authorization Code - A numerical code, one or more of which are available to a Customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the Customer for billing purposes.

Company or Carrier - North American Communications Control, Inc.

Customer - the person, firm, corporation or other entity which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

Interexchange Transporter - A person or entity whose facilities carry interexchange telephone service on a wholesale or retail basis through line, wire, cable, microwave, radio wave or satellite.

NACC - North American Communications Control, Inc.

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of North American Communications Control, Inc.

NACC's services and facilities are furnished for communications originating at specified points within the state of Florida under terms of this Tariff.

NACC installs, operates, and maintains the communications services provided herein in accordance with the terms and conditions set forth under this Tariff. It may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer to allow connection of a Customer's location to NACC's network. The Customer shall be responsible for all charges due for such service arrangement.

NACC's services and facilities are provided on a monthly basis unless ordered on a longer term basis, and are available twenty-four hours per day, seven days per week.

2.2 Limitations

2.2.1 Service is offered subject to the availability of facilities and provisions of this Tariff.

2.2.2 NACC reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control or when the Customer is using service in violation of the law or the provisions of this Tariff.

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SECTION 2 - RULES AND REGULATIONS

2.2 Limitations (Cont.)

2.2.3 All facilities provided under this Tariff are directly controlled by NACC and the Customer may not transfer or assign the use of service or facilities, except with the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

2.2.4 Prior written permission from NACC 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 for service.

2.3 Liabilities of the Company

2.3.1 NACC shall not be liable for loss or damage sustained by reason of failure in or breakdown of facilities of third parties not under its control. In no event shall NACC's liability for any failure, breakdown, or interruption in services exceed the charges applicable under this tariff to such service.

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SECTION 2 - RULES AND REGULATIONS

2.3 Liabilities of the Company (Cont.)

2.3.2 NACC shall not be liable and shall be indemnified and saved harmless by any Customer, end user, or other entity from all loss, claims, demands, suits, or other action or any liability whatever, whether suffered, made, instituted, or asserted by any Customer, end user, or other entity for any personal injury to, or death of, any person or persons and for any loss, damage, defacement or destruction of the premises of any Customer, end user or any other entity or any other property whether owned or controlled by the Customer, end user, or others, caused or claimed to have been caused, directly or indirectly, by any act or omission of the Customer, end user, or others or by any installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of facilities or equipment provided by NACC which is not the direct result of NACC's negligence. No agents or employees of any other entity shall be deemed to be the agents or employees of NACC.

2.3.3 NACC shall not be liable for any failure of performance due to causes beyond its control, including, but not limited to, acts of God, fires, lightning, floods or other catastrophes, national emergencies, insurrections, riots or wars, strikes, lockouts, work stoppage or other labor difficulties, any failure of local exchange company lines or delays caused by the local exchange company or the Customer or end-user, and any law, order, regulation or other action of any governing authority or agency thereof.

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SECTION 2 - RULES AND REGULATIONS

2.3 **Liabilities of the Company** (Cont.)

2.3.4 NACC 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 transmitted over NACC's facilities.
- (B) All other claims arising out of any act or omission of the Customer in connection with any service or facility provided by NACC.

2.3.5 The Customer is required to notify NACC of any changes to Customer's equipment, including software controlling the equipment's function. NACC is not liable for interruption in service caused by Customer's failure to notify NACC prior to any such change.

2.3.6 Except as expressly provided in this tariff, NACC makes no understanding, agreements, representations or warranties, express or implied (including any warranties of merchantability or fitness for a particular purpose).

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SECTION 2 - RULES AND REGULATIONS

2.4 Interruption of Service

- 2.4.1 Credit allowance for the interruption of service which is not due to NACC's testing or adjusting, negligence of the Customer, or to the failure of channels or equipment provided by the Customer, is subject to the general liability provisions set forth in 2.3.1 herein. It shall be the obligation of the Customer to notify NACC immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission by the Customer within his control, or by equipment if any, furnished by the Customer and connected to NACC's facilities.
- 2.4.2 For purposes of credit computation, every month shall be considered to have 720 hours.
- 2.4.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.4.4 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 facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula:

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

"A" - outage time in hours

"B" - total monthly charge for affected facility

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SECTION 2 - RULES AND REGULATIONS

2.5 Deposits

The Company does not require a deposit from the Customer.

2.6 Advance Payments

For Customers from whom the Company feels an advance payment is necessary, the Company reserves the right to collect an amount not to exceed one month's estimated charges as an advance payment for service. Such payment will be applied against the next month's charges and, if necessary, a new advance payment will be collected for the next month.

2.7 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.

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SECTION 3 - DESCRIPTION OF SERVICE

3.1 Timing of Calls

3.1.1 When Billing Charges Begin and Terminate For Phone Calls

The Customer's long distance usage charge is based on the actual usage of NACC's network. Usage begins when the called party picks up the receiver, (i.e. when 2-way communication, often referred to as "conversation time" is possible.). When the called party picks up is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. When software answer supervision is employed, up to 60 seconds of ringing is allowed before it is billed as usage of the network. A call is terminated when the calling or called party hangs up.

3.1.2 Billing Increments

Unless otherwise specified in this tariff, the minimum call duration for billing purposes is 1 minute for a connected call. Calls beyond 1 minute are billed in six second increments.

3.1.3 Per Call Billing Charges

Billing will be rounded up to the nearest penny for each call.

3.1.4 Uncompleted Calls

There shall be no charges for uncompleted calls.

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SECTION 3 - DESCRIPTION OF SERVICE

3.2 Billing of Calls

All charges due by the Customer are payable at any agency duly authorized to receive such payments. Any objection to billed charges should be promptly reported to the Company. Adjustments to Customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

3.3 Payment of Calls

3.3.1 Late Payment Charges

Interest charges of 1-1/2% per month may be assessed on all unpaid balances more than thirty days old.

3.3.2 Return Check Charges

A return check charge of \$20.00 or 5% of the amount of the check, whichever is greater, will be assessed for checks returned for insufficient funds.

3.4 Restoration of Service

The Company will not assess a charge for restoration of service once it has been disconnected; however, a charge may be assessed by the local exchange carrier.

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011

SECTION 4 - RATES**4.1 Message Telecommunications Service**

	<u>Minimum</u>	<u>Maximum</u>
Each Minute:	\$.07	\$.13

4.2 Directory Assistance Service

	<u>Minimum</u>	<u>Maximum</u>
Each Request:	\$.35	\$.65

4.3 Special Rates for the Handicapped**4.3.1 Directory Assistance**

There shall be no charge for up to fifty calls per billing cycle from lines or trunks serving individuals with disabilities. The Company shall charge the prevailing tariff rates for every call in excess of 50 within a billing cycle.

4.3.2 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.

F:\IS1315\NACCFL-TARRI

Issued: March __, 1996

EFFECTIVE: _____

by:

James Milana, President
437 West 16th Street
New York, New York 10011



Vinson & Elkins

ATTORNEYS AT LAW

VINSON & ELKINS LLP
THE WILLARD OFFICE BUILDING
1455 PENNSYLVANIA AVE. N.W.
WASHINGTON, D.C. 20004-1008

TELEPHONE (202) 639-6500
FAX (202) 639-6604

#108361
3/22/96 \$250.00
JAR

WRITER'S TELEPHONE
(202) 639-6722

DEPOSIT TREAS. REC. DATE
D.P.F. MAR 26 1996

March 22, 1996

Florida Public Service Commission
Division of Records & Reporting
Capital Circle Office Center
2540 Shumard Oak Boulevard
Gunter Building
Tallahassee, Florida 32399-0850

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
96 MAR 25 AM 10:29
MAIL ROOM

Dear Commissioners:

North American Communications Control, Inc. ("NACC"), by its attorneys, hereby submits its application pursuant to Florida Public Utility Commission Rule Nos. 25-24.471, 25-24.473, and 25-24.480(2) for approval to offer services to the public as an interexchange reseller in the State of Florida. NACC requests that you confirm receipt of this filing by returning a date-stamped copy of this letter in the enclosed self-addressed, stamped envelope.

Any questions with respect to this filing should be directed to Robert A. Mazer or Albert D. Shuldiner, legal counsel to NACC.

Respectfully submitted,

Heidi G. Stark/Kauf

VINSON & ELKINS ATTORNEYS AT LAW 1455 PENNSYLVANIA AVENUE, N.W. WASHINGTON, D.C. 20004-1007		Sara Liz Patterson		No. 108361	
ONE HUNDRED FIFTY AND 00/100 DOLLARS					
TO THE ORDER OF			FLORIDA PUBLIC SERVICE COMMISSION		
DATE		AMOUNT		VOID AFTER 90 DAYS	
3/20/96		\$*****250.00			
BY <i>Linda A. Manson</i> VINSON & ELKINS L.L.P.					