



ORIGINAL  
FILE 077

May 10, 1996

210 N. Park Ave  
P.O. Drawer 200  
Winter Park, FL  
32790-0200

**Florida Public Service Commission**  
Division of Administration  
2450 Shumard Oak Boulevard  
Gerald L. Gunter Building  
Room 270  
Tallahassee, FL 32399-0850

Tel 407-740-8575  
Fax 407-740-0613

Re: Initial Application and Tariff of Compath  
Communications, Inc. ("Compath") for Authority to  
Provide Interexchange Telecommunications Services  
within the State of Florida.

Dear Sir/Madam:

Enclosed for filing are the original and twelve (12) copies  
of the above-referenced application of Compath  
Communications, Inc. ("Compath").

Also enclosed is a check in the amount of \$250 to cover the  
filing fee.

Please acknowledge receipt of this filing by date-stamping  
the extra copy of this cover letter and returning it to me  
in the self-addressed, stamped envelope provided for this  
purpose.

Questions regarding this filing may be directed to me at  
(407) 740-8575.

Yours truly,

Nanci Adler  
Consultant to  
Compath Communications, Inc.

cc: B. DiDomencio, Compath  
to file: Compath - FL  
TMX#: FL96000

RECEIVED  
MAY 20 3 27 PM '96  
ADMINISTRATION  
MAIL ROOM

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

Initials of person who forwarded check:  
*AG*

DOCUMENT NUMBER-DATE

05618 MAY 21 96

FPSC-RECORDS/REPORTING



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DEPOSIT TREAS. REC

DATE

011

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cc: B. DiDomencio, Compath  
to file: Compath - FL  
TMX#: FL96000

RECEIVED  
MAY 20 3 27 PM '96  
ADMINISTRATION  
MAIL ROOM

**FLORIDA PUBLIC SERVICE COMMISSION**

**Application Form**

**for**

**Authority to Provide Interexchange Telecommunications Service**  
**Between Points Within the State of Florida**

To: Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oak Boulevard  
Gerald R. Gunter Building, Room 270  
Tallahassee, Florida 32399-0850  
(904) 413-6600

This package includes the original and twelve (12) copies of the application along with a non-refundable application fee of \$250.00.

1. This is an application for:

- 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.

**Alternative Operator Service** - 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.

**Call aggregator** - company contracts with unaffiliated entities to obtain bulk/volume discounts under multi-location discount plans from certain underlying carriers associated with such aggregated telecommunications business.

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

Compath Communications, Inc.

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

Compath Communications, Inc.

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

8220 E. Gelding Drive  
Scottsdale, AZ 85200  
(602) 998-2917

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

None

7. Structure of organization:

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

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

Not applicable.

- (a) Provide proof of compliance with the foreign 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 the 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: Attachment I

- (b) Name and address of the company's Florida registered agent.

None

- (c) Provide proof of compliance with the fictitious name statute (Chapter 865.09 FS), if applicable.

Fictitious name registration number: None

- (d) 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 officer, director or stockholder of the company has been adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime. No officer, director or stockholder of the company are involved in proceedings which may result in such action.

- (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 the company, give reason why not.

No officer, director, partner or stockholder of the company is an officer, director or stockholder in any other Florida certificated telephone company.

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

(a) The application:

Nanci Adler  
Consultant to Compath Communications, Inc.  
Technologies Management, Inc.  
P.O. Drawer 200  
Winter Park, FL 32790-0200  
(407) 740-8575 Voice  
(407) 740-0613 Facsimile

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

Barbara DiDomenico  
60 Hudson Street  
Suite M-16  
New York, NY 10013  
Telephone (212) 618-9790

(c) Tariff:

Nanci Adler  
Consultant to Compath Communications, Inc.  
Technologies Management, Inc.  
P.O. Drawer 200  
Winter Park, FL 32790-0200  
(407) 740-8575 Voice  
(407) 740-0613 Facsimile

(d) Complaints/Inquiries from customers:

Customer Service Department  
60 Hudson Street  
Suite M-16  
New York, NY 10013  
(800) 230-0380



11. List the states in which the applicant:

(a) Has operated as an interexchange carrier.

None

(b) Has applications pending to be certificated as an interexchange carrier.

New York, Texas, Arizona

(c) Is certificated to operate as an interexchange carrier.

None

(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 carrier or other telecommunications entity, and the circumstances involved.

None

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

- |   |                                    |
|---|------------------------------------|
| <input type="checkbox"/> Facilities             | <input type="checkbox"/> Operators |
| <input type="checkbox"/> Billing and Collection | <input type="checkbox"/> Sales     |
| <input type="checkbox"/> Maintenance            |                                    |
| <input type="checkbox"/> Other: _____           |                                    |

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 13 (to whom, what amount, type of franchise, etc.).

Commissions may be paid to sales representatives based on sales performance.

16. Who will receive the bills for your service (check all that apply)?

(X) Residential customers                      (X) Business customers  
( ) PATS providers                              ( ) PATS station end-users  
(X) Hotels & motels                              (X) Hotel & motel guests  
(X) Universities                                  (X) Univ. dormitory residents  
(X) Other:(specify) Anyone who uses the company's service.

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, Compath's name will appear on customer bills along with a telephone number for billing inquiries. The company's toll-free number is 800-230-0380.

- (b) The name and address of the firm who will bill for your service.

Although all billing will be performed under Compath's name, billing services will be provided by UniDial Incorporated, 12910 Shelbyville Road, Louisville, Kentucky 40243.

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 Attachment II.

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 mbps, 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, 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).

For direct dialed calls: 1 plus destination number.

For 800 calls: 1 plus subscriber's 800 telephone number.

For travel service calls: an 800 access number, plus identification number, plus the destination telephone number.

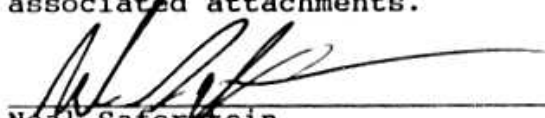
For operator service calls: 0 plus destination telephone number from a telephone presubscribed to Compath

For dedicated access calls: access a dedicated circuit and dial destination number.

21. Other:

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 fee of \$50 is required.
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of one and one-half percent, or currently applicable rates, on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax, or other currently applicable percentage, 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. **LEC BYPASS RESTRICTIONS:** I acknowledge the Commission's policy that interexchange carriers shall not construct facilities to bypass the LECs without first demonstrating to the Commission that the LEC cannot offer the needed facilities at a competitive price and in a timely manner.
6. **RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Orders relating to my provision of interexchange telephone service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding interexchange telephone service.
7. **ACCURACY OF APPLICATION:** By my signature below, I attest to the accuracy of the information contained in this application and associated attachments.

  
\_\_\_\_\_  
Neal Saferstein  
Vice President  
Compath Communications, Inc.

5/2/92  
\_\_\_\_\_  
Date

**APPENDICES**

- A - Certificate of Transfer Statement
- B - Customer deposits and advance payments
- C - Intrastate network
- D - Florida telephone exchanges and EAS routes
- E - Glossary

**ATTACHMENTS:**


- I - Florida Secretary of State Registration
- II - Proposed Tariff

APPENDIX A

CERTIFICATE OF TRANSFER STATEMENT

I, Neal Safenstein, current holder of certificate number \_\_\_\_\_, have reviewed this application and join in the petitioner's request.

**Not Applicable.**

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

Title: Vice President


Date: 3/6/46

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.)

  
\_\_\_\_\_  
Neal Eferstein  
Vice President  
Compath Communications, Inc.

Date: 5/6/96

APPENDIX C

INTRASTATE NETWORK

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

- 1) None. 2)
- 3) 4)

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

- 1) None. 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.**

- | <u>POP-to-POP</u> | <u>TYPE</u> | <u>OWNERSHIP</u> |
|-------------------|-------------|------------------|
| 1) None           |             |                  |
| 2)                |             |                  |
| 3)                |             |                  |

Compath Communications, Inc. does not plan to operate any points of presence, switches or transmission facilities within the State of Florida. Calls will be transported and switched over facilities provided by the company's underlying carrier(s).



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)

Statewide.

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).

Not applicable.


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 service begin?

Not applicable.

- (b) If the services are not currently offered, when were they discontinued?

Not applicable.

  
\_\_\_\_\_  
Neal Safenstein  
Vice President  
Compath Communications, Inc.

5/6/96  
\_\_\_\_\_  
Date

APPENDIX D

FLORIDA TELEPHONE EXCHANGES AND EAS ROUTES


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

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

Jacksonville  
Gainesville  
Daytona Beach  
Ocala  
Orlando  
Cocoa  
Melbourne  
West Palm Beach  
Miami  
Pensacola  
Panama City  
Tallahassee  
Titusville

Tampa  
Clearwater  
St. Petersburg  
Lakeland  
Winter Park  
Ft. Lauderdale  
Pompano Beach  
Hollywood  
North Dade  
Sarasota  
Ft. Myers  
Naples

Compath Communications, Inc. intends to offer service throughout the State of Florida.

  
\_\_\_\_\_  
Neal Saferstein  
Vice President  
Compath Communications, Inc.

5/6/91  
\_\_\_\_\_  
Date

**ATTACHMENT I**

**AUTHORITY TO OPERATE IN FLORIDA**



FLORIDA DEPARTMENT OF STATE  
Sandra B. Mortham  
Secretary of State

June 13, 1995

CT CORPORATION

Qualification documents for COMPATH COMMUNICATIONS, INC. were filed on June 13, 1995, and assigned document number F95000002850. Please refer to this number whenever corresponding with this office.

Your corporation is now qualified and authorized to transact business in Florida as of the file date.

A corporation annual report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number will be required before this report can be filed. If you do not already have an FEI number, please apply NOW with the Internal Revenue by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the corporate address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please telephone (904) 487-6091, the Foreign Qualification/Tax Lien Section.

Doug Dickinson  
Document Specialist  
Division of Corporations

Letter Number: 095A00028910

**ATTACHMENT II**

**PROPOSED TARIFF**

TITLE PAGE  
FLORIDA TELECOMMUNICATIONS TARIFF  
OF  
COMPATH COMMUNICATIONS, INC.

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of resold telecommunication services provided by Compath Communications, Inc. ("Compath") with principal offices located at 60 Hudson Street, Suite M-16, New York NY 10013. This tariff applies for 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.

---

ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

---

**CHECK SHEET**

The tariff sheets listed below is effective as of the date shown on each sheet. Original and revised pages as named below comprise all changes from the original tariff.

<b>SHEET</b>	<b>REVISION</b>	<b>SHEET</b>	<b>REVISION</b>
1	Original	28	Original
2	Original	29	Original
3	Original	30	Original
4	Original	31	Original
5	Original	32	Original
6	Original	33	Original
7	Original	34	Original
8	Original	35	Original
9	Original	36	Original
10	Original	37	Original
11	Original	38	Original
12	Original	39	Original
13	Original	40	Original
14	Original	41	Original
15	Original	42	Original
16	Original	43	Original
17	Original	44	Original
18	Original	45	Original
19	Original	46	Original
20	Original	47	Original
21	Original	48	Original
22	Original	49	Original
23	Original	50	Original
24	Original	51	Original
23	Original	52	Original
24	Original		
25	Original		
26	Original		
27	Original		

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Scottsdale, Arizona 85260

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---

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ISSUED: April 29, 1996

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**SYMBOLS**

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.

When changes are made in any tariff sheet, a revised sheet will be issued canceling the tariff sheet affected. Changes will be identified on the revised sheet(s) through the use of the above mentioned symbols.

---

ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

---

**TARIFF FORMAT**

**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. the FPSC follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff pages in effect. Consult the check sheet for 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.

**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 (\*). There will be no other symbols used on the check sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the FPSC.

---

ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 1.0 - TECHNICAL TERMS AND ABBREVIATIONS**

**1.1 Abbreviations**

The following abbreviations are used herein only for the purposes indicated below:

C.O.	-	Central Office
FCC	-	Federal Communications Commission
FPSC	-	Florida Public Service Commission
IXC	-	Interexchange Carrier
LATA	-	Local Access and Transport Area
LEC	-	Local Exchange Carrier
MTS	-	Message Telecommunications Service
PBX	-	Private Branch Exchange

---

ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
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**SECTION 1.0 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D)**

**1.2 Definitions**

**Access Line** - An arrangement which connects the Subscriber's or Customer's location to the Carrier's designated point of presence or network switching center.

**Authorized User** - A person, firm or corporation, or any other entity authorized by the Customer or Subscriber to communicate utilizing the Company's services.

**Carrier or Company** - Compath Communications, Inc., unless otherwise indicated by the context.

**Compath** -Used throughout this tariff to refer to Compath Communications, Inc.

**Customer** - The person, firm or corporation, or other entity which orders, cancels, amend's, or uses service and is responsible for the payment of charges and/or compliance with tariff regulations.

**Customer Premises Equipment** - Terminal equipment, as defined herein, which is located on the Customer's premises.

**Day Rate Period** - After 8:00 am to, but not including, 5:00 pm Monday through Friday.

**Dedicated Access** - Where access between the Customer and the interexchange carrier is provided on dedicated (or special access) non-switched facilities. The cost of these dedicated circuits is billed by the access provider to the Customer.

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ISSUED: April 29, 1996

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ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 1.0 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D)**

**1.2 Definitions, (cont'd)**

**Holiday** - One of the following federally recognized holidays: New Year's Day (January 1), Independence Day (July 4), Labor Day, Thanksgiving Day, and Christmas Day (December 25).

**Switched Access** - Where access between the Customer and the Carrier is provided on local exchange company Feature Group circuits. The cost of switched Feature Group access is billed to the Carrier.

**V & H Coordinates** - Geographic points which define the originating and terminating points of a call in mathematical terms so that the airline mileage of the call may be determined. Call mileage is used for the purposed of rating calls.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 2.0 - RULES AND REGULATIONS**

**2.1 Undertaking of the Company**

Compath is a resale common carrier providing intrastate direct dialed and travel card services to Customers within the State of Florida. Compath's services and facilities are furnished for communications originating at specified points within the State of Florida under terms of this tariff.

Compath provides for the installation, operation, and maintenance of the communications services provided herein in accordance with the terms and conditions set forth under this tariff. Compath 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 the Compath services. The Customer shall be responsible for all charges due for such service arrangement.

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 Applicability of Tariff**

This tariff is applicable to telecommunications services provided by Compath within the state of Florida.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

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**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)****2.3 Payment and Credit Regulations****2.3.1 Payment Arrangements**

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer for transmission of calls via the Company. The Customer agrees to pay to the Company or its authorized agent any cost(s) incurred as a result of any delegation of authority resulting in the use of his or her communications equipment and/or network services which result in the placement of calls via the Company. The Customer agrees to pay the Company or its authorized agent any and all cost(s) incurred as a result of the use of the service arrangement, including calls which the Customer did not individually authorize.

All charges due by the Customer are payable to the Company or any agency duly authorized to receive such payments. Term of payment shall be according to the rules and regulations of the agency and subject to the rules of regulatory agencies, such as the Florida PSC. Any objections to billed charges must be promptly reported to the Company or its billing agent. Adjustments to Customers' bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate.

Charges for installations, service connections, moves, and rearrangements, where applicable, are payable upon demand by the Company or its authorized agent. The billing thereafter will include recurring charges and actual usage as defined in this tariff.

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**ISSUED:** April 29, 1996**EFFECTIVE:**

**ISSUED BY:** Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260



**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.3 Payment and Credit Regulations, (cont'd)**

**2.3.2 Deposits**

The Company does not require a deposit from the Customer.

**2.3.3 Advance Payments**

For Customers whom the Company determines an advance payment is necessary, the Company reserves the right to collect an amount not to exceed one (1) month's estimated charges as an advance payment for service. This will be applied against the next month's charges and a new advance payment may be collected for the next month.

**2.3.4 Taxes**

Company reserves the right to bill any and all applicable taxes in addition to normal long distance usage charges, including, but not limited to: Federal Excise Tax, State Sales Tax, Municipal Taxes, and Gross Receipts Tax. Such taxes will be itemized separately on Customer invoices.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

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**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)****2.4 Refunds or Credits for Service Outages or Deficiencies****2.4.1 Interruption of Service**

Credit allowances for interruptions of service which are not due to the Carrier's testing or adjusting, to the negligence of the Customer, or to the failure of channels, equipment or communications systems provided by the Customer, are subject to the general liability provisions set forth in Section 2.4 herein. No credit is issued for outages less than 1/2 hour in duration. Credit for outages greater than 1/2 in duration is issued for fixed recurring monthly charges only. No credit is given for usage-sensitive charges. Outage credits are calculated in thirty minute intervals. The amount of the credit is determined by pro-rating the monthly recurring charge for the time of the outage (in thirty-minute intervals). It shall be the obligation of the Customer to notify Carrier immediately of any interruption in service for which a credit allowance is desired by Customer. Before giving such notice, Customer shall ascertain that the trouble is not within his or her control, or is not in wiring or equipment, if any, furnished by Customer and connected to Carrier's terminal. Interruptions caused by Customer-provided or Carrier-provided automatic dialing equipment are not deemed an interruption of service as defined herein since the Customer has the option of using the long distance network via local exchange company access.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

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**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)****2.4 Refunds or Credits for Service Outages or Deficiencies,  
(cont'd)****2.4.2 Inspection, Testing and Adjustment**

Upon reasonable notice, the facilities provided by the Company shall be made available to the Company for such tests and adjustments as may be deemed necessary for maintenance in a condition satisfactory to the Company. No interruption allowance will be granted for the time during which such tests and adjustments are made.

**2.4.3 Liability**

- (A) The liability of the Company for any claim or loss, expense or damage (including indirect, special, or consequential damage) for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff shall not exceed an amount equivalent to the proportionate charges to the Customer for the period of service or the facility provided during which such interruption, delay, error, omission, or defect occurs.
- (B) The Company shall not be liable for any claim or loss, expense, or damage (including indirect, special, or consequential damage), for any interruption, delay, error, omission, or other defect in any service facility, or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by any act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.4 Refunds or Credits for Service Outages or Deficiencies,  
(cont'd)**

**2.4.3 Liability (Cont'd)**

- (C) The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer or other users of its service against any claim or loss, expense, or damage, (i) for defamation, invasion of privacy, infringement of copyright or patent, unauthorized use of any trademark, trade name, or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property, or entity arising from the material data, information, or content revealed to, transmitted, processed, handled, or used by Company under this tariff, or (ii) for connecting, combining, or adapting Company's facilities with Customer's apparatus or systems, or (iii) for any act or omission of the Customer, or (iv) for any personal injury or death of any person, or for any loss of or damage to Customer's premises or any other property, whether owned by Customer or others, caused directly or indirectly by the installation, maintenance, location, condition, operation, failure or removal of equipment or wiring provided by the Company if not directly caused by negligence of the Company.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.4 Refunds or Credits for Service Outages or Deficiencies,  
(cont'd)**

**2.4.3 Liability, (cont'd)**

(D) The Company will provide credit on charges disputed by Customer in writing that are verified as incorrect by Company. If objection in writing is not received by Company within a reasonable period of time after bill is rendered (as determined by current law and regulatory policy), the account shall be deemed correct and binding upon the Customer.

**2.5 Minimum Service Period**

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

**2.6 Cancellation by Customer**

Unless otherwise specified elsewhere in this tariff or by mutually accepted contract between the Customer and the Company, service may be canceled by the Customer on not less than 30 days prior written notice to the Company.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.7 Refusal or Discontinuance by Company**

**2.7.1** Service may be suspended by the Company, without notice to the Customer, by blocking traffic to certain cities or NXX exchanges, or by blocking calls using certain Customer travel cards when the Company deems it necessary to take such action to prevent unlawful use of its service. Compath will restore services as soon as it can be provided without undue risk, and will upon request by the Customer, assign new travel card codes to replace ones that have been deactivated.

**2.7.2** Compath may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer shall be given 15 days notice to comply with any rule or remedy any deficiency:

- (A) For non-compliance with or violation of any State, municipal, or Federal law, ordinance or regulation pertaining to telephone service.
- (B) For use of telephone service for any purpose other than that described in the application.
- (C) For neglect or refusal to provide reasonable access to Compath or its agents for the purpose of inspection and maintenance of equipment owned by Compath or its agents.
- (D) For noncompliance with or violation of Commission regulation or Compath's rules and regulations on file with the Commission, provided five (5) working days' written notice is given before termination.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.7 Refusal or Discontinuance by Company, (cont'd)**

- (E) For nonpayment of bills, provided that suspension or termination of service shall not be made without five (5) days written notice to the Customer, except in extreme cases. Such notice will be provided in a mailing separate from the customer's regular monthly bill for service.
- (F) Without notice in the event of Customer or Authorized User use of equipment in such a manner as to adversely affect Compath's equipment or service to others.
- (G) Without notice in the event of tampering with the equipment or services owned by Compath or its agents.
- (H) Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, Compath may, before restoring service, require the Customer to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.
- (I) Without notice by reason of any order or decision of a court or other government authority having jurisdiction which prohibits Company from furnishing such services.
- (J) For periods of inactivity over sixty (60) days.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.8 Limitations of Service**

- 2.8.1 Service will be furnished subject to the availability of the necessary facilities and/or equipment and subject to the provisions of this tariff.
- 2.8.2 Compath reserves the right to discontinue furnishing service, upon written notice, when necessitated by conditions beyond its control, or when the Customer is using the service in violation of the provisions of this tariff, or in violation of law.
- 2.8.3 The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- 2.8.4 Compath reserves the right to discontinue the offering of service or deny an application for service if a change in regulation materially and negatively impacts the financial viability of the service in the best business judgment of the Company.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260



**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.9 Use of Service**

Service may be used for any lawful purpose for which it is technically suited. Customers reselling or rebilling Compath's Florida intrastate service must have a Certificate of Public Convenience and Necessity as an interexchange carrier from the Florida Public Service Commission.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.10 Employee Concessions**

[Reserved for Future Use]

**2.11 Terminal Equipment**

Company's facilities and service may be used with or terminated in Customer-provided terminal equipment or systems, such as PBXs, key systems, multiplexers, repeaters, signaling sets, teleprinters, handsets, or data sets. Such terminal equipment shall be furnished and maintained at the expense of the Customer, except as otherwise provided. Customer is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of Company's service.

**2.12 Applicable Law**

This tariff shall be subject to and construed in accordance with Florida law.

**2.13 Cost of Collection and Repair**

Customer is responsible for any and all costs incurred in the collection of monies due the Company including legal and accounting expenses. The Customer is also responsible for recovery costs of Company-provided equipment and any expenses required for repair or replacement of damaged equipment.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.14 Tests, Pilots, Promotional Campaigns and Contests**

The Company may conduct special tests or pilot programs and promotions at its discretion to demonstrate the ease of use, quality of service and to promote the sale of its services. The Company may also waive a portion or all processing fees or installation fees for winner of contests and other occasional promotional events sponsored or endorsed by the Company. From time to time the Company may waive all processing fees for a Customer.

These promotions will be approved by the FPSC with specific starting and ending dates with promotions running under no circumstances longer than 90 days in any twelve month period.

**2.15 Restoration of Service**

Restoration of service shall be accomplished in accordance with Florida PSC rules and regulations.

**2.16 Other Rules**

- 2.16.1 Compath reserves the right to validate the credit worthiness of Customers or Authorized Users through available verification procedures.
- 2.16.2 The Company reserves the right to discontinue service, limit service, or to impose requirements on Customers as required to meet changing regulations, rules or standards of the FPSC.
- 2.16.3 The Company makes every effort to reserve 800 vanity numbers requested by Customers, but makes no guarantee or warranty that the requested number(s) will be available.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

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**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)****2.17 Special Conditions Applicable to Operator Services**

When operator services are provided to casual callers through aggregator locations the following conditions apply:

- 2.17.1 Subscribers must place a notice on or near each instrument that provides transient access to Compath's operator service. The notice will be provided by Compath unless contractual agreement transfers the requirement to the call aggregator (as is frequently the case for telephone company provided public or semi-public service.) In all cases the notice will include the following information, customized for the individual installation:
- (A) InterLATA operator service is provided by Compath.
  - (B) Per Call Service Charges: [as per product description and rate described elsewhere in this tariff]
  - (C) Calls may be billed to most telephone company calling cards or to major credit cards such as MasterCard or American Express.
  - (D) Please consult the local telephone company directory or local telephone company operator for intraLATA dialing instructions and rates.
  - (E) To place an interLATA call dial [access code where applicable] + 0 + area code + interLATA telephone number.
  - (F) The establishment surcharge for Local Calls is: \$X.XX/X% (to be billed by establishment).
  - (G) The establishment surcharge for Long Distance Calls is: \$X.XX/X% (to be billed by establishment).
  - (H) Compath interLATA rates may be obtained by dialing [the toll free number provided by Compath].

When the premises equipment functions differently than stated above, the tent card or sticker will be modified to reflect the actual dialing pattern.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 2.0 - RULES AND REGULATIONS, (CONT'D)**

**2.17 Special Conditions Applicable to Operator Services, (cont'd)**

- 2.17.2 Any applicable surcharges billed at check out time by a hotel/motel Subscriber for local or long distance calls must also be stated on the tent card. Subscriber surcharges will not be billed on telephone bills by Compath.
- 2.17.3 All "0-" and "0+" intraLATA traffic will be routed to the local exchange company until such traffic may be handled by interexchange carriers under FPSC rules (i.e. implementation of intraLATA presubscription).
- 2.17.4 Operator assisted calls will be branded pursuant to FPSC rules.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 3.0 - DESCRIPTION OF SERVICE**

**3.1 Quality and Grade of Service Offered**

Minimum Call Completion Rate - Customers can expect a call completion rate of not less than 95% during peak use periods for Feature Group D 1+ dialing. 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.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

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**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)****3.2 Calculation of Distance**

Usage charges for all mileage sensitive products are based on the airline distance between serving wire centers associated with the originating and terminating points of the call.

The serving wire centers of a call are determined by the area codes and exchanges of the origination and destination points.

The distance between the Wire Center of the Customer's equipment and that of the destination point is calculated by using the "V" and "H" coordinates found in BellCore's V&H Tape and NECA FCC Tariff No. 4.

- Step 1 - Obtain the "V" and "H" coordinates for the Wire Centers serving the Customer and the destination point.
- Step 2 - Obtain the difference between the "V" coordinates of each of the Wire Centers. Obtain the Difference between the "H" coordinates.
- Step 3 - Square the differences obtained in Step 2.
- Step 4 - Add the squares of the "V" difference and "H" difference obtained in Step 3.
- Step 5 - Divide the sum of the square obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.
- Step 6 - Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the Wire Centers.

**Formula:**

$$\sqrt{\frac{(V_1 - V_2)^2 + (H_1 - H_2)^2}{10}}$$

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)**

**3.2 Calculation of Distance, (cont'd)**

EXAMPLE: Distance between Miami and New York City -

	V	H
Miami:	8,351	529
New York:	<u>4,997</u>	<u>1,406</u>
Difference:	3,354	-877
Square and add:	11,249,316 + 769,129 = 12,018,445	
Divide by 10:	12,018,445 / 10 = 1,201,844.5	
Round up:	1,201,845	
Take square root:	$\sqrt{1,201,845} = 1,096.3$	
Round up:	1,097 miles	

ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260



**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)**

**3.3 Timing of Calls**

Billing for calls placed over the network is based in part on the duration of the call.

- 3.3.1 Timing for all calls begins when the called party answers the call (i.e. when two way communications are established.) Answer detection is based on standard industry answer detection methods, including hardware and software answer detection.
- 3.3.2 Chargeable time for all calls ends when one of the parties disconnects from the call.
- 3.3.3 Minimum call duration and call timing increments for billing purposes is specified on a per-product basis in Section 3.5 of this tariff.
- 3.3.4 There is no billing applied for incomplete calls.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)**

**3.4 Rate Periods**

**3.4.1 Time of Day Periods**

For purposes of determining the applicable rate, the following rate period definitions are used:

DAY RATE PERIOD: 8:00 am to, but not including,  
5:00 pm Monday through Friday

NON-DAY RATE PERIOD: All other times not included  
in the "DAY" period.

**3.4.2 Holiday Rates**

Apply to that portion of a call occurring on Company acknowledged Holidays. The rate is equivalent to the Evening Rate unless a lower rate would normally apply. Holiday rates apply on New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

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**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)****3.5 Service Offerings**

Compath provides direct dialed and travel card service for communications originating and terminating within the State of Florida under terms of this tariff.

**3.5.1 Direct Dial 1+ Service**

Direct Dial 1+ Service allows Customers to make 1+ direct dialed calls from presubscribed telephones. This service is available from equal access end offices only. Customers access the service via switched access lines. For billing purposes, call timing is rounded up to the nearest six (6) second increment after the initial minimum period of eighteen (18) seconds.

Direct Dial 1+ Service is offered at three levels. Plan M is a basic month-to-month service. Plan 12 offers a discount off of Plan M rates to Customers that commit to a 12 month service term. Plan 24 offers discounted rates to Customers that commit to a 24 month service term. Plan 36 offers discounted rates to Customers who commit to a 36 month term. If a Customer discontinues service prior to the end of service agreement term, the Customer is assessed a penalty equal to the difference between the appropriate Plan 12, or Plan 24, or Plan 36 and the Plan M rates, times the cumulative billed minutes of use from the time service was initiated to the time service was discontinued.

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**ISSUED:** April 29, 1996**EFFECTIVE:**

**ISSUED BY:** Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

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**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)****3.5 Service Offerings, (cont'd)****3.5.2 Switched 800 Service**

Switched 800 Service provides an in-bound 800 calling service to Compath Customers. The Compath Customer is billed for each 800 call, rather than the call originator. Calls terminate to the Compath 800 Customer via switched access lines. For billing purposes, call timing is rounded up to the nearest six (6) second increment after the initial minimum period of eighteen (18) seconds.

Switched 800 Service is offered at three levels. Plan M is a basic month-to-month service. 800 Plan 12 offers a discount off of Plan M rates to Customers that commit to a 12 month service term. 800 Plan 24 offers discounted rates to Customers that commit to a 24 month service term. Plan 36 offers discounted rates to Customers who commit to a 36 month term. If a Customer discontinues service prior to the end of the service agreement term, the Customer is assessed a penalty equal to the difference between the appropriate 800 Plan 12 or Plan 24, or Plan 36 rates and the Plan M rates, times the cumulative billed minutes of use from the time service was initiated to the time service was discontinued.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

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**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)****3.5 Service Offerings, (cont'd)****3.5.3 Dedicated Direct Dial 1+ Service**

Dedicated Direct Dial 1+ Service allows Customers to make 1+ direct dialed calls. Customers access the service via dedicated or special access T-1 (1.544 Mbps) lines. Service is available only where T-1 access is available. The Customer is responsible for payment charges associated with the dedicated T-1 circuit. Such charges are normally billed by and paid directly to the access provider (i.e. local exchange carrier). If the Customer requests that Compath order and bill the T-1 circuit, Compath will add an administrative charge equal to 25% of the monthly recurring charge for the circuit to the bill. For usage billing purposes, call timing is rounded up to the nearest six (6) second increment after the initial minimum period of six (6) seconds.

Dedicated Direct Dial 1+ Service is offered at three levels. Plan M is a basic month-to-month service. Plan 12 offers a discount off of Plan M rates to Customers that commit to a 12 month service term. Plan 24 offers discounted rates to Customers that commit to a 24 month service term. Plan 36 offers discounted rates to Customers who commit to a 36 month term. If a Customer discontinues service prior to the end of the service agreement term, the Customer is assessed a penalty equal to the difference between the appropriate Plan 12 or Plan 24, or Plan 36 rates and the Plan M rates, times the cumulative billed minutes of use from the time service was initiated to the time service was discontinued.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

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**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)****3.5 Service Offerings, (cont'd)****3.5.4 Dedicated 800 Service**

Dedicated 800 Service provides an in-bound 800 calling service to Compath Customers. The Compath Customer is billed for each 800 call, rather than the call originator. Calls terminate to the Compath 800 Customer via dedicated T-1 (1.544) access lines. Service is available only where T-1 access is available. The Customer is responsible for payment charges associated with the dedicated T-1 circuit. Such charges are normally billed by and paid directly to the access provider (i.e. local exchange carrier). If the Customer requests that Compath order and bill the T-1 circuit, Compath will add an administrative charge equal to 25% of the monthly recurring charge for the circuit to the bill. For billing purposes, call timing is rounded up to the nearest six (6) second increment after the initial minimum period of six (6) seconds.

Dedicated 800 Service is offered at three levels. Plan M is a basic month-to-month service. 800 Plan 12 offers a discount off of Plan M rates to Customers that commit to a 12 month service term. 800 Plan 24 offers discounted rates to Customers that commit to a 24 month service term. Plan 36 offers discounted rates to Customers who commit to a 36 month term. If a Customer discontinues service prior to the end of the service agreement term, the Customer is assessed a penalty equal to the difference between the appropriate 800 Plan 12 or Plan 24, or Plan 36 rates and the Plan M rates, times the cumulative billed minutes of use from the time service was initiated to the time service was discontinued.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
8220 E. Gelding Drive  
Scottsdale, Arizona 85260

**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)**

**3.5 Service Offerings, (cont'd)**

**3.5.5 Directory Assistance**

Directory Assistance is available to Customers of Compath. A Directory Assistance charge applies to each call to the Directory Assistance Bureau. Up to two requests may be made on each call to Directory Assistance. The Directory Assistance charge applies to each call regardless of whether the Directory Assistance Bureau is able to furnish the requested telephone number.

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ISSUED: April 29, 1996

EFFECTIVE:

ISSUED BY: Peter Nelson, President  
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**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)**

**3.5 Service Offerings, (cont'd)**

**3.5.6 Residential Service**

This service is available to Residential Customers only (the customer's phone number must be assigned to a residential address). To qualify for the service, customers may have no more than two (2) phone lines at the residential address. In addition, no more than thirty (30) percent of the customer's phone use can occur during the daytime calling period. Intrastate service is provided only to customers on Compath's companion interstate Residential Service offering.

Residential Service is available to Customers in three plans. Service is accessed via switched access circuits. Calls are billed in full minute increments with a minimum call duration of one minute. Customers may choose the plan that best serves their calling patterns. Residential service may be billed by the Company or a billing agent (such as the local exchange carrier).

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**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)****3.5 Service Offerings, (cont'd)****3.5.7 UniRate Service****(a) UniRate Switched Access**

UniRate Switched Access Service provides customers with both outbound and inbound (800) calling at one price. Calls originate and terminate over switched access facilities. Service is available in equal access areas. Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds.

**(b) UniRate Direct Access**

UniRate Direct Access Service provides customers both outbound and inbound (800) calling at one price. Outbound calls originate over dedicated access facilities. Inbound 800 calls terminate to the Customer over dedicated access facilities. The Customer is responsible for payment of all charges (non-recurring and recurring) associated with the dedicated access line. Calls are billed in six (6) second increments with a minimum call duration of six (6) seconds.

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**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)****3.5 Service Offerings, (cont'd)****3.5.8 Ultima Card**

Compath's Ultima Card provide telecommunications services and optional enhanced service to customers while traveling away from the office or home. Customers must dial an 800 toll-free access number followed by their authorization code to make a call or use the service. A monthly credit limit will be assigned to each card for fraud protection. Customers have the option of raising or lowering the limit amount to best suit their calling practices. For billing purposes, call timing is rounded up to the nearest six (6) increment after the initial minimum period of eighteen (18) seconds.

**3.5.9 Affinity Group Schedules**

The Affinity Group Schedules provide 1+ outbound calling services to customers. Service is available to Affinity Groups and rates vary based on the size of the group. Calls are billed in full minute increments with a minimum call duration of one minute.

**3.5.10 1-800 Access Operator Service**

Callers may place calls through specialized billing or call placement arrangements using a Company-designated access code and operator assistance. Callers have the option of placing station-to-station or person-to-person calls. Calls may be billed to the called party (collect), to a calling/credit card, or to a third party. Calls are billed based on duration of the call. In addition, a per-call service charge applies depending upon call type. An operator dialed surcharge applies when the caller asks the operator to dial the destination number.

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**SECTION 3.0 - DESCRIPTION OF SERVICE, (CONT'D)**

**3.5 Service Offerings, (cont'd)**

**3.5.11 American Business Network (Affinity Plan #3)**

American Business Network is offered to affinity groups for their associated members, organizations, agencies or similar entities (herein referred to as "members"). The service provides both direct dial 1+ and in-bound 800 calling. Affinity Groups must commit to a two-year term agreement and to signing up at least 2,500 member commercial accounts with Compath within three months of subscribing to this service. Each individual account must bill a minimum of \$100 in Compath services per month. Compath reserves the right to revert rates to the Direct Dial 1+ monthly rates for affinity groups that fail to meet these minimum requirements. A monthly service fee applies to each account. This service fee is billed to the Affinity Group organization.

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**SECTION 4.0 - RATES**

**4.1 General**

Each Customer is charged individually for each call placed through the Company. Charges may vary by product type, time of day, day of week and call duration.

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**SECTION 4.0 - RATES, (CONT'D)****4.2 Exemptions and Special Rates****4.2.1 Discounts for Hearing Impaired Customers**

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, credit on charges for certain intrastate toll calls placed between TDDs. Discounts do not apply to surcharges or per call add-on charges for operator services when the call is placed by a method that would normally incur the surcharge.

- (a) The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to applying the evening rate during business day hours and the night/weekend rate during the evening rate period.
- (b) The credit to be given on a subsequent bill for such calls placed by TDDs with the assistance of the relay center will be equal to 50% of the rate for the applicable rate period. If either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted 60% of the applicable rate.

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**SECTION 4.0 - RATES, (CONT'D)**

**4.2 Exemptions and Special Rates (cont'd)**

**4.2.2 Emergency Call Exemptions**

The following calls are exempted from all charges: Emergency calls to recognizable authorized civil agencies including police, fire, ambulance, bomb squad and poison control. The Company will only handle these calls if the caller dials all of the digits to route and bill the call. Credit will be given for any billed charges pursuant to this exemption on a subsequent bill after verified notification by the billed Customer within thirty (30) days of billing.

**4.2.3 Directory Assistance for Handicapped Persons**

Pursuant to FPSC rules and regulations, the Company will not charge for the first 50 phone calls made to directory assistance by handicapped customers.

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**SECTION 4.0 - RATES, (CONT'D)**

**4.3 Late Payment Charge**

A late fee of 1.5% per month will be charged on any past due balance.

**4.4 Return Check Charge**

A return check charge of \$15.00 or 5% of the balance due (whichever is greater) will be assessed for checks returned for insufficient funds. Any applicable return check charges will be assessed according to the terms and conditions of the billing entity (i.e. local exchange company and/or commercial credit card company) and pursuant to Florida law and FPSC regulations.

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**SECTION 4.0 - RATES, (CONT'D)****4.5 Direct Dial 1+ Service**

Calls are billed in six (6) second increments after the initial minimum period of eighteen (18) seconds.

	<b>PER MINUTE RATE</b>	
	<b><u>DAY</u></b>	<b><u>NON-DAY</u></b>
Plan M	\$0.1590	\$0.1590
Plan 12	0.1490	0.1490
Plan 24	0.1390	0.1390
Plan 36	0.1290	0.1290

**4.6 Switched 800 Service**

Calls are billed in six (6) second increments after the initial minimum period of eighteen (18) seconds.

	<b>PER MINUTE RATE</b>	
	<b><u>DAY</u></b>	<b><u>NON-DAY</u></b>
Plan M	\$0.1590	\$0.1590
Plan 12	0.1490	0.1490
Plan 24	0.1390	0.1390
Plan 36	0.1290	0.1290

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**SECTION 4.0 - RATES, (CONT'D)**

**4.7 Dedicated Direct Dial 1+ Service**

Calls are billed in six (6) second increments after the initial minimum period of six (6) seconds.

	<b>PER MINUTE RATE</b>	
	<b><u>DAY</u></b>	<b><u>NON-DAY</u></b>
Plan M	\$0.1090	\$0.1090
Plan 12	0.0990	0.0990
Plan 24	0.0890	0.0890
Plan 36	0.0790	0.0790

**4.8 Dedicated 800 Service**

Calls are billed in six (6) second increments after the initial minimum period of six (6) seconds.

	<b>PER MINUTE RATE</b>	
	<b><u>DAY</u></b>	<b><u>NON-DAY</u></b>
Plan M	\$0.1090	\$0.1090
Plan 12	0.0990	0.0990
Plan 24	0.0890	0.0890
Plan 36	0.0790	0.0790

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**SECTION 4.0 - RATES, (CONT'D)**

**4.9 Directory Assistance**

Directory Assistance, Per Call:      \$0.65

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**SECTION 4.0 - RATES, (CONT'D)**

**4.10 Promotional Offerings**

[Reserved for Future Use]

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**SECTION 4.0 - RATES, (CONT'D)**

**4.11 Residential Service**

Calls are billed in full minute increments. For this service, the applicable rate periods (Day, Evening, Night/Weekend) are indicated in the chart below.

**Per Minute Rates:**

	Day	Evening	Night/Wknd
<b>Plan A</b>	\$0.1890	\$0.1890	\$0.1890
<b>Plan B</b>	\$0.2030	\$0.1770	\$0.1770
<b>Plan C</b>	\$0.2030	\$0.1770	\$0.1670

Day Rate Period: Monday through Friday  
8:00am to 5:00pm\*

Evening Rate Period: Sunday through Friday  
5:00pm to 11:00pm\*

Night/Weekend  
Rate Period: All days -- 11:00pm to 8:00am\*  
Saturday 8:00am to Sunday 5:00pm\*

\* To, but not including

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**SECTION 4.0 - RATES, (CONT'D)**

**4.12 UniRate Services**

Calls are billed in six (6) second increments.

**4.12.1 UniRate Switched Access**

Rates vary based on term commitment

<u>Term Commitment</u>	<u>Per Minute Rate</u>
Monthly	\$0.1790
6 months	0.1690
12 months	0.1590
18 months	0.1490
24 months	0.1490
30 months	0.1490

The following apply to customers who choose the UniRate 800 option:

800 Service

**Installation Fee:** \$50.00 per reserved 800 number

**Minimum Mo. Usage Fee:** \$20.00 per 800 number

**4.12.2 UniRate Direct Access**

Rates vary based on term commitment

<u>Term Commitment</u>	<u>Per Minute Rate</u>
Monthly	\$0.1190
12 months	0.1090
24 months	0.1090

**Installation charge:** \$500 per T-1 installed  
(This charge applies in addition to any applicable charges from the dedicated access provider.)

The following apply to customer who choose the UniRate 800 option:

800 Service

**Installation Fee:** \$50.00 per reserved 800 number

**Minimum Mo. Usage Fee:** \$20.00 per 800 number

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**SECTION 4.0 - RATES, (CONT'D)**

**4.13 Ultima Card**

Calls are billed in six (6) second increments with a minimum call duration of eighteen (18) seconds.

DAY:	\$0.2500
NON-DAY:	\$0.1990

Per Call Charge: \$0.25

**24 Month Term Option:**

DAY:	\$0.1990
NON-DAY:	\$0.1990

Per Call Charge: \$0.25

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**SECTION 4.0 - RATES, (CONT'D)**

**4.14 Affinity Group Schedules**

Calls are billed in full minute increments.

**Schedule #1 - No Minimum Group Size**

**Per Minute Rates:**

	Day	Evening	Night/Wknd
<b>Plan A</b>	\$0.1970	\$0.1970	\$0.1970
<b>Plan B</b>	\$0.2110	\$0.1850	\$0.1850
<b>Plan C</b>	\$0.2110	\$0.1850	\$0.1740

**Schedule #2 - Minimum Group Size of 100 Members**

**Per Minute Rates:**

	Day	Evening	Night/Wknd
<b>Plan A100</b>	\$0.1740	\$0.1740	\$0.1740
<b>Plan B100</b>	\$0.1850	\$0.1640	\$0.1640
<b>Plan C100</b>	\$0.1850	\$0.1640	\$0.1550

**Schedule #3 - Minimum Group Size of 500 Members**

**Per Minute Rates:**

	Day	Evening	Night/Wknd
<b>Plan A500</b>	\$0.1550	\$0.1550	\$0.1550
<b>Plan B500</b>	\$0.1640	\$0.1550	\$0.1550
<b>Plan C500</b>	\$0.1640	\$0.1600	\$0.1550

For time of day rate periods, see Section 4.12 of this tariff.

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**SECTION 4.0 - RATES, (CONT'D)**

**4.15 1-800 Access Operator Service**

Calls are billed in full minute increments.

**Per Minute Usage Rates:**

Mileage	Day		Evening		Night/Weekend	
	Initial Minute	Each Add'l Minute	Initial Minute	Each Add'l Minute	Initial Minute	Each Add'l Minute
0-10	0.1805	0.0855	0.1354	0.0641	0.0903	0.0428
11-22	0.2470	0.1520	0.1853	0.1140	0.1283	0.0760
23-55	0.2565	0.2071	0.1924	0.1553	0.1473	0.1083
56-124	0.2565	0.2090	0.1924	0.1568	0.1506	0.1126
125-292	0.2565	0.2147	0.1924	0.1615	0.1530	0.1173
293-430	0.2565	0.2185	0.1924	0.1639	0.1544	0.1173
431-624	0.2565	0.2233	0.1924	0.1639	0.1577	0.1221

**Per Call Service Charge:**

Customer Dialed Calling Card Call:	\$0.76
Station-to-Station Call:	\$0.95
Person-to-Person Call:	\$2.38
Operator Dialed Surcharge:	\$0.71

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**SECTION 4.0 - RATES, (CONT'D)**

**4.16 American Business Network**

Calls are billed in six (6) second increments after an initial minimum call duration of eighteen (18) seconds.

**Per minute rate:** \$0.1090

**Monthly Service Fee, Per Account:** \$6.50

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**ATTACHMENT III**

**MANAGERIAL AND TECHNICAL CAPABILITIES**

### **Managerial and Technical Expertise**

Compath Communications, Inc. ("Compath") operates as a switchless reseller. All network transmission and switching functions are handled by underlying facilities-based carriers. Compath relies on its underlying carriers for technical operation and maintenance of the network. In addition to the expertise of its underlying carrier, the company is managed by experienced individuals.

#### **Peter A. Nelson, President**

Peter Nelson has over 17 years of experience in the electronics and telecommunications industries. From 1981 to 1984, Mr. Nelson served as Vice President for Antenna Technology Corporation in the development of satellite communications systems for governments, commercial television stations and cable companies. Mr. Nelson's experience also includes five years (1979-1984) with Video Electronics, Inc. specializing in electronic security and satellite communications systems. Immediately prior to founding Compath, Mr. Nelson operated an independent sales agency for UniDial Incorporated, a nationwide telecommunications reseller. Among his achievements, Mr. Nelson was named UniDial's Top Sales Agent for two consecutive years. In his previous positions, Mr. Nelson gained considerable management experience coordinating and managing over 100 sales agents. Mr. Nelson earned a Bachelors Degree from the University of Arizona.

#### **Neal Saferstein, Vice President - Sales and Marketing**

Neal Saferstein currently serves as Compath's Vice President of Sales and Marketing. Mr. Saferstein brings considerable experience to Compath, including computer and management information expertise as well as experience in business development and contract negotiation. Mr. Saferstein's five years of telecommunications experience includes the ownership of International Business Systems, Inc., a telecommunications agent of direct dial and operator assisted services as well as serving as an aggregator for MCI. IBS also provides programming services to pay telephone

companies. Mr. Saferstein is currently working towards his bachelors degree at New York University and has attended Temple University and Wharton School of Business, University of Pennsylvania.

#### **Christopher Heidkamp**

Christopher Heidkamp currently serves as Compath's Account Manager. In this capacity, Mr. Heidkamp is responsible for the training of new sales agents, contract negotiations, development of marketing materials, the preparation of sales proposals and placement of advertisements. Prior to joining Compath in 1994, Mr. Heidkamp was an independent contractor for Dial One Communication where he was successful in developing and implementing the company's sales and marketing efforts. Mr. Heidkamp has over five years of telecommunications experience and earned a Bachelors Degree in Economics from the University of Minnesota.

#### **Barbara DiDomenico**

Barbara DiDomenico serves as General Counsel to Compath. Ms. DiDomenico received her J.D. degree from Brooklyn Law School in 1994. Previously she was employed at the Law Firm of Teitler and Teitler in New York City as an associated handling various corporate and real estate matters. Ms. DiDomenico earned her Bachelors Degree from Columbia College, Columbia University. She is responsible for Compath's regulatory filings and other legal matters.

**ATTACHMENT IV**

**FINANCIAL STATEMENTS**

Compath Communications, Inc. does not have audited financial statements prepared. The company's 1995 and year-to-date 1996 financial statement enclosed have been certified as true and correct by a corporate officer.

**Compath Communications**  
**Balance Sheet**  
 As of March 16, 1996

04/16/96

	Mar 16, '96
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
Checking	-479 41
Total Checking/Savings	-479 41
Accounts Receivable	
Accounts Receivable	542 76
Total Accounts Receivable	542 76
Total Current Assets	63 35
Other Assets	
Deposits	220 00
Loan Receivable	3,637 85
Total Other Assets	3,857 85
<b>TOTAL ASSETS</b>	<b>3,921.20</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	64,202 70
Total Accounts Payable	64,202 70
Total Current Liabilities	64,202 70
Long Term Liabilities	
Loan Payable	308,379 52
Total Long Term Liabilities	308,379 52
Total Liabilities	372,582 22
Equity	
Retained Earnings	-288,998 93
Net Income	-79,662 09
Total Equity	-368,661 02
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>3,921.20</b>

Certified true and correct by

*NS*

*Neal J. Weinstein vice President*

04/16/96

**Compath Communications**  
**Profit and Loss**  
 January 1 through March 16, 1996

	Jan 1 - Mar 16, '96
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
1+ Consulting	65,000.00
Agent Fee	125.00
<b>Commission</b>	
Commercial	18,377.58
Residential	67,721.24
<b>Total Commission</b>	84,098.82
Reimbursed Expenses	16,108.50
Returns & Allowances	-372.38
Sales	542.76
<b>Total Income</b>	165,502.70
<b>Cost of Goods Sold</b>	
Cost of Goods Sold	
Data Processing	1,247.56
<b>Total Cost of Goods Sold</b>	1,247.56
<b>Total COGS</b>	1,247.56
<b>Gross Profit</b>	164,255.14
<b>Expense</b>	
1099 Commission	
Commercial	23,512.69
Residential	18,783.95
<b>Total 1099 Commission</b>	42,296.64
Advertising	170.00
Bank Service Charges	159.30
Charge Back Expense	-2,544.69
<b>Computer</b>	
Hardware	2,847.48
Services	434.09
Computer - Other	26.65
<b>Total Computer</b>	3,308.22
Contest	40.00
Employee Recruitment	792.86
<b>Insurance</b>	
Health	4,713.83
Liability Insurance	505.08
<b>Total Insurance</b>	5,218.91
Lease Expense	486.71
Licenses and Permits	85.00
Office Expense	2,107.86
Office Supplies	1,876.83
<b>Payroll Expenses</b>	
Gross Wages	0.00
Net Wages	71,762.74
Payroll Expenses - Other	623.95
<b>Total Payroll Expenses</b>	72,386.69
<b>Payroll Taxes</b>	
Federal Withholding	8,884.50
<b>FICA</b>	
Company	5,953.98
Employee	5,953.98
<b>Total FICA</b>	11,907.96
FUTA	679.60
<b>Medicare</b>	
Company	1,236.54
Employee	1,236.57

Certified true and correct by

13  
 Neal Safaristan, via president



04/16/96

**Compath Communications**  
**Profit and Loss**  
 January 1 through March 16, 1996

	Jan 1 - Mar 16, '96
Total Medicare	2,473.11
State Withholding	1,723.65
SUI	2,399.06
<b>Total Payroll Taxes</b>	<b>28,067.88</b>
Postage and Delivery	3,681.34
Printing and Reproduction	133.94
Professional Fees	
Consulting Fee	40,000.00
Legal Fees	612.80
<b>Total Professional Fees</b>	<b>40,612.80</b>
Rent	
Building	14,510.74
Equipment	216.22
<b>Total Rent</b>	<b>14,294.52</b>
Repairs & Maintenance	
Building	249.96
Copier	200.57
Equipment	1,500.28
<b>Total Repairs &amp; Maintenance</b>	<b>1,950.81</b>
Taxes	
Federal	51.33
<b>Total Taxes</b>	<b>51.33</b>
Telephone	
E-Mail	62.85
LEC	12,993.04
Local Loop	1,254.16
Long Distance	2,391.16
Mobile	608.44
T-1	7,282.42
Toshiba	1,403.64
<b>Total Telephone</b>	<b>26,195.71</b>
Travel & Ent	
Meals	201.38
Travel	207.05
Travel & Ent - Other	1,118.16
<b>Total Travel &amp; Ent</b>	<b>1,526.59</b>
UTILITIES	
Gas and Electric	684.56
Landscape	45.47
Waste	228.00
Water	98.25
<b>Total Utilities</b>	<b>1,056.28</b>
<b>Total Expense</b>	<b>243,955.53</b>
Net Ordinary Income	-79,700.39
Other Income/Expense	
Other Income	
Interest Income	38.30
<b>Total Other Income</b>	<b>38.30</b>
Net Other Income	38.30
<b>Net Income</b>	<b>79,662.08</b>

Certified true and correct by

NS

*Neal Safirskin, vice president*

Compath Communiations, Inc  
**Balance Sheet**  
 As of December 31, 1995

03/29/96

Dec 31, '95

ASSETS		
Current Assets		
Checking/Savings	Checking	87,136.45
Total Checking/Savings		87,136.45
Other Current Assets		
Share Holder Loan		200.00
Total Other Current Assets		200.00
Total Current Assets		87,336.45
Fixed Assets		
Fixed Assets		3,200.00
Total Fixed Assets		3,200.00
Other Assets		
Loan		5,710.01
Total Other Assets		5,710.01
<b>TOTAL ASSETS</b>		<b>96,246.46</b>
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Accounts Payable	Accounts Payable	46,643.63
Total Accounts Payable		46,643.63
Other Current Liabilities		
Payroll Liabilities		
City		51.04
Federal Withholding		142.21
FICA		
Employee		-508.10
FICA - Other		606.22
Total FICA		98.12
State Withholding		35.91
SUI		-1.97
Payroll Liabilities - Other		12.65
Total Payroll Liabilities		337.96
Total Other Current Liabilities		337.96
Total Current Liabilities		46,981.79
Long Term Liabilities		
Loan Payable		139,836.41
Total Long Term Liabilities		139,836.41
Total Liabilities		186,818.20
Equity		
Opening Bal Equity		-1,288.22
Retained Earnings		-2,172.64
Net Income		-87,110.88
Total Equity		-90,571.74
<b>TOTAL LIABILITIES &amp; EQUITY</b>		<b>96,246.46</b>

Certified true and correct by

NS

*Neal Satersten vice president*

Compath Communications, Inc

Profit and Loss

January through December 1995

03/29/96

Jan - Dec '95

Ordinary Income/Expense	
Income	
1 + Consulting	136,259.00
Interest Earned	96.45
Reimbursed Expenses	5,367.20
Sales	
Agent Fee	125.00
Debit Cards	4,834.20
Department 138	14,850.95
Department 164	1,427.89
Department 201	53,929.26
Department 206	109,588.34
Marketing Material	10.00
Sales - Other	16,377.58
Total Sales	201,152.22
Services	
Dialer Lease	3,450.25
Total Services	3,450.25
Total Income	346,320.41
Expense	
Advertising	
Advertising	330.00
Marketing Supplies	700.00
Advertising - Other	3,605.89
Total Advertising	4,635.89
Bank Service Charges	323.00
Commission	
Commercial	5,896.25
Commission - Other	102,565.38
Total Commission	108,461.63
Corporate Filing Fee	90.00
Cost of Goods Sold	
Airtime	1,044.95
Data Processing	12,814.14
Debit Cards	6,580.60
Total Cost of Goods Sold	20,439.69
Equipment Rental	5,266.22
Licenses and Permits	50,085.00
Miscellaneous	13,904.80
Office Equipment	
Computer Supplies	535.39
Office Equipment - Other	2,158.51
Total Office Equipment	2,693.90
Office Expenses	
Copier	204.49
Credit Card	630.00
Office Expenses	975.72
Subscriptions	20.00
Office Expenses - Other	2,646.62
Total Office Expenses	4,476.83
Office Supplies	1,443.68
Payroll Expenses	
Gross Wages	35,969.56
Labor	27,562.45
Payroll Expenses - Other	32,323.22
Total Payroll Expenses	95,855.23
Payroll Taxes	
FICA	2,687.35

Certified true and correct by

ND  
Neal Saferslein, Vice President

**Compath Communications, Inc**  
**Profit and Loss**  
 January through December 1995

	Jan - Dec '95
FUTA	249 81
SUI	870 18
<b>Total Payroll Taxes</b>	<b>3,807 34</b>
<b>Postage and Delivery</b>	
Postage	399 57
Shipping	225 00
Postage and Delivery - Other	7,204 98
<b>Total Postage and Delivery</b>	<b>7,829 55</b>
<b>Printing and Reproduction</b>	
Printing	1,100 00
Printing and Reproduction - Other	4,666 48
<b>Total Printing and Reproduction</b>	<b>5,766 48</b>
<b>Professional Development</b>	
Incorporation	21,800 30
Software Development	691 00
Professional Development - Other	1,877 50
<b>Total Professional Development</b>	<b>24,368 80</b>
<b>Professional Fees</b>	
Accounting	
Accounting	175 00
Accounting - Other	970 00
<b>Total Accounting</b>	<b>1,145 00</b>
Legal Fees	
Legal Fees	420 00
Legal Fees - Other	7,425 18
<b>Total Legal Fees</b>	<b>7,845 18</b>
<b>Total Professional Fees</b>	<b>8,990 18</b>
<b>Rent</b>	
Rent	3,087 38
Rent - Other	2,475 00
<b>Total Rent</b>	<b>5,562 38</b>
<b>Repairs</b>	
Building Repairs	1,125 00
Computer Repairs	989 85
Equipment Repairs	505 00
<b>Total Repairs</b>	<b>2,619 85</b>
<b>Returns &amp; Allowances</b>	<b>1,653 70</b>
<b>Shared Expenses</b>	<b>19,068 46</b>
<b>Telephone</b>	
E-Mail	1,947 75
LEC	4,462 94
Long Distance	15,000 03
Mobile	577 81
T-1	6,825 64
Telephone - Other	841 92
<b>Total Telephone</b>	<b>29,656 09</b>
<b>Travel &amp; Ent</b>	
Travel	298 00
Travel & Ent	1,379 81
Travel & Ent - Other	1,155 00
<b>Total Travel &amp; Ent</b>	<b>2,832 81</b>
<b>Unknown</b>	<b>1,678 68</b>
<b>Utilities</b>	
Gas and Electric	941 13
<b>Total Utilities</b>	<b>941 13</b>

Certified true and correct by

NS

*Neal Safarstein, vice president*

03/29/96

Compath Communiations, Inc  
Profit and Loss  
January through December 1995

	Jan - Dec '95
Total Expense	422,454.52
Net Ordinary Income	75,126.04
Other Income/Expense	
Other Expense	
Other Expenses	10,982.84
Total Other Expense	10,982.84
Net Other Income	-10,982.84
Net Income	-87,110.88

Certified true and correct by KS  
*Neil Saterstrom, CEO/President*