



19

July 10, 1997  
Overnight

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

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

Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oaks Boulevard  
Gerald L. Gunter Bldg. Room 270  
Tallahassee, FL 32399-0850  
(904) 488-4733

DEPOSIT                      DATE  
D566 \*                      JUL 14 1997

970866-TX

RE:    Initial Alternative Local Exchange Carrier Application of  
        Diamond Communications International, Inc.

Dear Mr. D'Haeseleer:

Enclosed for filing are the original and twelve copies of the above referenced application of Diamond Communications International, Inc to provide Alternative Local Exchange Carrier Service in Florida

Also enclosed is our check in the amount of \$250 for the filing fee. Questions pertaining to this application or tariff should be directed to my attention at (407) 740-8575.

Please acknowledge receipt of this filing by returning, file-stamped, the extra copy of this cover letter in the self-addressed, stamped envelope enclosed for this purpose

Thank you for your assistance.

Sincerely,

Monique Byrnes  
Consultant to  
Diamond Communications International, Inc.

Enclosures

cc:    A. Berger, Diamond  
file:    Diamond - FL ALEC  
tms:    fl197000

11 JUL 14 1997 26



07018 JUL 14 5

POST OFFICE BOX 10000

**FLORIDA PUBLIC SERVICE COMMISSION**  
Division of Communications, Certification & Compliance Section  
2450 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850  
(904) 413-6600

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**APPLICATION FORM**

for

**AUTHORITY TO PROVIDE ALTERNATIVE LOCAL EXCHANGE SERVICE  
WITHIN THE STATE OF FLORIDA**

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**INSTRUCTIONS**

1. This form is used for an original application for a certificate and for approval of sale, assignment, or transfer of an existing alternative local exchange certificate. In case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee.
2. Respond to each item requested in the application and appendices. If an item is not applicable, please explain why.
3. Use a separate sheet for each answer which will not fit the allotted space.
4. Any questions regarding completion, contact above.
5. Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of \$250 made payable to the Florida Public Service Commission at the above address.

DOCUMENT NUMBER-DATE  
07018 JUL 14 5  
FPC REG. DIV. TALLAHASSEE

**APPLICATION FORM FOR AUTHORITY TO PROVIDE  
ALTERNATIVE LOCAL EXCHANGE SERVICE  
WITHIN THE STATE OF FLORIDA**

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

( X ) Original authority (new company)

( ) Approval of transfer (to another certificated company)

Example: a certificated company purchases an existing company and desires to retain the original certificate authority.

( ) Approval of assignment of existing certificate (to a noncertificated company)

Example: a non-certificated company purchases an existing company and desires to retain the certificate of authority rather than apply for a new certificate.

( ) Approval for transfer of control (to another certificated company)

Example: a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

**2. Name of applicant:**

Diamond Communications International, Inc.

**3. A. National Mailing Address including street name, number, post office box, city, state, zip code and phone number.**

Street: 8500 N. Stemmons Freeway, Suite 3040  
PO Box  
City: Dallas  
State: Texas  
Zip: 75247  
Phone: 214 - 630-5630

**B. Florida Mailing Address including street name, number, post office box, city, state, zip code and phone number.**

Street: 8500 N. Stemmons Freeway, Suite 3040  
PO Box  
City: Dallas  
State: Texas  
Zip: 75247  
Phone: 214 - 630-5630

- C. **Physical Address of alternative local exchange service in Florida including street name, number, post office box, city, state, zip code and phone number.**

Street: 8500 N. Stemmons Freeway, Suite 3040  
 PO Box  
 City: Dallas  
 State: Texas  
 Zip: 75247  
 Phone: 214 - 630-5630

4. **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"/> Joint Venture                  | <input type="checkbox"/> Other, Please explain _____ |

5. **If incorporated, please provide proof from the Florida Secretary of State that the applicant has authority to operate in Florida.**

Corporate charter number: 97000003408

6. **Name under which the applicant will do business (d/b/a):**

Diamond Communications International, Inc.

7. **If applicable, please provide proof of fictitious name: (d/b/a) registration.**

Fictitious name registration number: not applicable

8. **If applicant is an individual, partnership, or joint venture, please give name and address of each legal entity.**

Not applicable

9. **State whether any of the officers, directors, or any of the ten largest stockholders have previously been adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, please explain.**

Not applicable.

10. Please provide the title, address, telephone number, internet address and facsimile number of the person serving as ongoing liaison with the Commission, and if different, the liaison responsible for this application:

Application contact:

Name: Monique Byrnes  
 Title: Consultant to Diamond Communications International, Inc.  
 P.O. Box: P.O. Drawer 200  
 City: Winter Park  
 State: Florida  
 Zip: 32790-0200  
 Phone: (407) 740-8575  
 Fax: (407) 740-0613  
 Internet Address:

Ongoing Liaison:

Name: Allen Berger  
 Title: President  
 P.O. Box:  
 Street: 8500 N. Stemmons Freeway, Suite 3040  
 PO Box  
 City: Dallas  
 State: Texas  
 Zip: 75247  
 Phone: 214 - 630-5630  
 Fax: 214 - 630-7576  
 Internet Address:

11. Please list other states in which the applicant is currently providing or has applied to provide local exchange or alternative local exchange service.

The company has applied to offer local exchange service in Texas.

12. Has the applicant been denied certification in any other state?

Yes( ) No( X )

If so, please list the state and reason for denial.

13. Have penalties been imposed against the applicant in any other state:

Yes( ) No( X )

If so, please list the state and reason for penalty.

**14. Please indicate how a customer can file a service complaint with your company.**

Customers may call the company at its toll-free customer service number: 1-888-873-1474. In addition, customers may contact the company in writing at 8500 N. Stemmons Freeway, Suite 3040, Dallas, Texas 75247

**15. Please provide all available documentation demonstrating that the applicant has the following capabilities to provide alternative local exchange service in Florida.**

**A. Financial capability**

Regarding the showing of financial capability, the following applies:

The application should contain the applicant's financial statements, including:

1. the balance sheet
2. income statement
3. statement of retained earnings for the most recent 3 years

If available, the financial statements should be audited financial statements.

If the applicant does not have audited financial statements, it shall be so stated. The unaudited financial statement should then be signed by the applicant's chief executive officer and chief financial officer. The signature should affirm that the financial statements are true and correct.

See Exhibit I

**B. Managerial capability**

See Exhibit II

**C. Technical capability**

See Exhibit III

AFFIDAVIT

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

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

Official: Allen Berger  
signature

Date: 7/9/97

Title: Allen Berger  
President  
Address: 8500 N. Stemmons Freeway  
Suite 3040  
Dallas, Texas 75247  
Phone: (214) 630-5630

**Diamond Communications International, Inc.**

**EXHIBIT I**

**FINANCIAL CAPABILITY**



AFFIDAVIT

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

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Official:

Allen Berger

signature

Date:

5/10/97

Title:

Allen Berger

President

Address:

8500 N. Stemmons Freeway

Suite 3040

Dallas, Texas 75247

Phone:

(214) 630-5630

**Diamond Communications International, Inc.**

**EXHIBIT I**

**FINANCIAL INFORMATION**

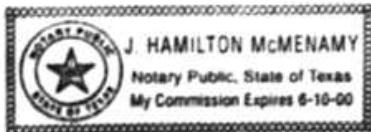
**CERTIFICATION STATEMENT**

I, Allen Berger, President of Diamond Communications International, Inc., certify that the financial statements presented herein for the year ended December 31, 1996 are, to the best of my knowledge, accurate and correct.

Executed on this 5 day of June, 1997 at Dallas Texas.

By: Allen Berger  
Allen Berger, President  
Diamond Communications International, Inc.

SWORN TO AND SUBSCRIBED before me on this 5th day of June, 1997.



[Signature]  
Notary Public

My commission expires:  
\_\_\_\_\_

## Financial Capability

1. Please provide documentation that the Applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
2. Please provide documentation that the Applicant has sufficient financial capability to maintain the requested service.
3. Please provide documentation that the Applicant has sufficient financial capability to meet its lease or ownership obligations.

Diamond Communication International, Inc. (Diamond) has sufficient financial capability to provide the proposed telecommunication services in the State of Florida, the financial capability to maintain these services, and the financial capability to meet its lease and ownership obligations. Diamond Communications International, Inc. ("Diamond") provides management financial statements, attested to by its President, as evidence of its financial stability and capability to offer, provide and maintain the services described in its application and tariff. Please see the attached March 31, 1997 Balance Sheet and 1996 Income Statement.

An overview of the Company's financial performance reveals that:

A. Balance Sheet-the Company has sufficient access to cash and investments. Due to the Company's success in the prepaid cellular market Diamond has not had to tie up a significant amount of capital in Property, Plant & Equipment. The Company has not experienced any major bad debts from Customers. The Company has a large equity balance which it expects to maintain. The company has arranged for lines of credit from financial institutions should the growth of the Company need access to additional resources.

B. Income Statement-The Company has experienced positive financial results in 1996 (65% gross profit and a 44% Earnings Before Income Tax). Most of the positive results are tied directly to management understanding the industry, its customer base, its market niche and its ability to keep expenses under control.

Diamond does not own a switch. No additional capital requirements or expenses will be incurred by the Company with expanded operations to the State of Florida. All network switching and transmission is provided by the Company's underlying carrier.

Diamond does not intend to lease or own any offices in Florida. The Company's primary ongoing expense will be the payment of commissions to sales personnel, which does not occur until the company has received payment from its customers.

## Diamond Communications International, Inc.

## BALANCE SHEET

March 31, 1997

## Assets

Cash & Cash Equivalents	\$22,000	
Accounts Receivable	25,000	
Inventory	38,500	
Total Current Assets		\$85,500
Property, Plant & Equipment (PP&E)	15,500	
Accumulated Depreciation	0	
Total Net PP&E		15,500
Investment in Divisions (Subsidiaries):		
Investment in Diamond Cellular	225,000	
Investment in INSI, Inc.	300,400	
		525,400
Other Assets:		
Organizational Costs	8,750	
Deposits to Cellular Carriers	53,500	
Total Other Assets		62,250
Total Assets		<u>\$688,650</u>

## Liabilities and Equity

Accounts Payable		\$9,500
Non-Current Liabilities:		
Note Payable - Life Insurance	1200	
Bank Loan, Plano Bank & Trust	55,000	
		56,200
Total Liabilities		65,700
Total Equity		622,950
Total Liabilities and Equity		<u>\$688,650</u>

Diamond Communications International, Inc.

INCOME STATEMENT

For the Year Ended December 31, 1996

Sales		\$105,400
Cost of Sales		<u>37,350</u>
Gross Profit		68,050
<u>Selling, General &amp; Administrative Expenses</u>		
Telephone & Utilities	3,650	
Supplies	1,200	
Advertising & Marketing	9,850	
Professional Fees	3,500	
Insurance	1,400	
Miscellaneous Expenses	<u>2,200</u>	
		21,800
Earnings Before Income Tax		<u>\$46,250</u>

**Diamond Communications International, Inc.**

**EXHIBIT II**

**MANAGERIAL CAPABILITY**

**Diamond Communications International Inc.  
Profiles of Key Personnel**

**Alan Berger, President**

Mr. Berger has built a solid reputation over the last twenty years successfully operating several small companies. His entrepreneurial skills, including sales and financial management, are an asset to Diamond Communications. As President, Mr. Berger is responsible for the strategic direction of the company and for ensuring company compliance with all state and federal regulatory compliance issues. Mr. Berger was an original partner in Diamond Communications.

**Moin Hogue, Vice President**

Mr. Hogue has ten years experience in the cellular telecommunications industry. In 1992, he founded M-tel Resources, a long distance reseller (Richardson, Texas). From 1986 to 1992, prior to starting M-Tel, he worked as a Senior Network Manager for Microagle, Inc., a cellular reseller. Prior to that he was a General Store Manager with Radio Shack, specializing in cellular telephone and computer sales. He left Radio Shack after eight year of employment, when his annual commissions from selling cellular telephones exceeded his annual salary.

As Vice President of Diamond Communications International Inc., Mr. Hogue is responsible for sales and marketing of the company's current prepaid cellular service. He is also responsible for integrating the current telecommunications offering with the company's new prepaid local service offering.

**Rudolph Guevara, Vice President**

Mr. Guevara retired as a Sergeant Major from the U.s. Army in 1090 after serving thirty years. He is responsible for contract negotiations, back office operations, inventory and distribution for Diamond.



**Diamond Communications International, Inc.**

**EXHIBIT III**

**TECHNICAL CAPABILITY**

## TECHNICAL CAPABILITY

The company intends to provide local services as a reseller of other carriers' facilities. As a reseller, Diamond Communications International, Inc. will rely on its facilities-based underlying carriers for the operation and maintenance of the local exchange network. The company will use only reputable underlying carriers, certificated in the state of Florida, to ensure that high quality service is provided to customers.

The profiles of key personnel provided in Exhibit II of this application provide further evidence of the company's technical capability to provide local services.



July 10, 1997  
Overnight

DEPOSIT

DATE

D 5 6 6

JUL 14 1997

210 N. Park Ave.

P.O. Drawer 200

Winter Park, FL

32790-0200

Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oaks Boulevard  
Gerald L. Gunter Bldg. Room 270  
Tallahassee, FL 32399-0850  
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Tel: 407-740-8575

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RE: Initial Alternative Local Exchange Carrier Application of  
Diamond Communications International, Inc.

Dear Mr. D'Haeseleer:

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Please acknowledge receipt of this filing by returning, file-stamped, the extra copy of this cover letter in the self-addressed, stamped envelope enclosed for this purpose.

Thank you for your assistance.

Sincerely,

*AM*

*Allen Berger*

700

DIAMOND COMMUNICATIONS

701 N. CENTRAL EXPY., STE. 100  
RICHARDSON, TX 75080

DATE

*6/5/97*

PAY TO THE ORDER OF

*FLORIDA PSC*

\$ *250.00*

*TWO HUNDRED FIFTY*

DOLLARS

Bank of America  
Bank of America Texas N.A.

FOR

*cash*

*Allen Berger*