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REPLY TO:

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October 15, 1997

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971346-TI

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Utilicore Corporation - Application for Authority to Provide Interexchange
Telecommunications Service Within the State of Florida.

Dear Ms. Bayo:

Enclosed please find the original and six copies of the above captioned application on behalf of Utilicore Corporation. Florida Telecommunications Tariff Number One is included as an attachment to this application. The application fee of \$250.00 is also enclosed.

Sincerely,



David B. Erwin

DBE:akh
Enclosures
cc: Tom Beard

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

A.G.

DOCUMENT NUMBER DATE

10597 OCT 15 97

RECORDS & REPORTING

**** FLORIDA PUBLIC SERVICE COMMISSION ****
DIVISION OF COMMUNICATIONS
BUREAU OF SERVICE EVALUATION

APPLICATION FORM
for
AUTHORITY TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE
WITHIN THE STATE OF FLORIDA

Instructions

A. This form is used for an original application for a certificate and for approval of sale, assignment or transfer of an existing certificate. In case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Appendix A).

- B. Respond to each item requested in the application and appendices. If an item is not applicable, please explain why.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. If you have questions about completing the form, contact:

Florida Public Service Commission
Division of Communications
Bureau of Service Evaluation
2540 Shumard Oak Blvd.
Gunter Building
Tallahassee, Florida 32399-0850
(904) 413-6600

E. Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of \$250.00 to:

Florida Public Service Commission
Division of Administration
2540 Shumard Oak Blvd.
Gunter Building
Tallahassee, Florida 32399-0850
(904) 413-6251

DOCUMENT NUMBER - DATE

10597 OCT 15 5

FILED RECORDS/REPORTING

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

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

Prepaid Debit Card Provider - any person or entity that purchases 800 access from an underlying carrier or unaffiliated entity for use with prepaid debit card service and/or encodes the cards with personal identification numbers.

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

Original Authority (New company)

Approval of Transfer (To another certificated company).

Approval of Assignment of existing certificate (To an uncertificated company).

Approval for transfer of control (To another certificated company).

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

Utilicore Corporation

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

Utilicore Corporation

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

N/A

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

2155 Main Street, Sarasota, Florida 34237

7. Structure of organization.

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

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

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

N/A

- (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.

N/A

(2) officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

N/A

9. If incorporated, please give:

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

Corporate charter number: F 97000005131

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

David Bednarsh
2155 Main Street
Sarasota, Florida 34237

- (c) Provide proof of compliance with the fictitious name statute (Chapter 865 09 FS), if applicable.

Fictitious name registration number _____

- (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

- (2) officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

No

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

(a) The application: **Thomas M. Beard** (850) 894-1361
5220 Greystoke Lane
Tallahassee, Florida

(b) Official Point of Contact for the ongoing operations of the company; **Same as above**

(c) Tariff; **Same as above**

(d) Complaints/Inquiries from customers;

David Bednarsh (941)957-0173
2155 Main Street
Sarasota, Florida 34237

11 List the states in which the applicant:

(a) Has operated as an interexchange carrier

N/A

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

N/A

(c) Is certificated to operate as an interexchange carrier

N/A

(d) Has been denied authority to operate as an interexchange carrier and the circumstances involved.

N/A

(e) Has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

N/A

(f) Has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

N/A

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

- () Facilities. NONE AT THE PRESENT TIME.
- () Operators.
- () Billing and Collection.
- () Sales.
- () Maintenance.
- () Other: _____

13 Do you have a marketing program?

This will developed later in accordance with the statutes and rules of the State of Florida

14 Will your marketing program:

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

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

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

- Residential customers.
- Business customers.
- PATS providers.
- PATS station end-users.
- Hotels & motels.
- Hotel & motel guests.
- Universities.
- Univ. dormitory residents.
- Other: (specify)_____

17. Please provide the following (if applicable):

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

Yes

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

Self Bill

18 Please provide all available documentation demonstrating that the applicant has the following capabilities to provide interexchange telecommunications service in Florida.

A Financial capability

Regarding the showing of financial capability, the following applies

The application should contain the applicant's financial statements for the most recent 3 years, including

See Attached

1. the balance sheet
2. income statement
3. statement of retained earnings

Further, a written explanation, which can include supporting documentation, regarding the following should be provided to show 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.

NOTE: This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.

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 statements should then be signed by the applicant's chief executive officer and chief financial officer. The signatures should affirm that the financial statements are true and correct.

B. Managerial capability

See Attached

C. Technical capability

See Attached

19. 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 Attached

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

MTS with distance sensitive per minute rates

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

MTS with route specific rates per minute

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

MTS with statewide flat rates per minute (i.e. not distance sensitive)

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

MTS for pay telephone service providers

Block-of-time calling plan (Reach out Florida, Ring America, etc.)

800 Service (Toll free)

WATS type service (Bulk or volume discount)

Method of access is via dedicated facilities

Method of access is via switched facilities

Private Line services (Channel Services)

(For ex. 1.544 mbs., DS-3, etc.)

Travel Service

Method of access is 950

Method of access is 800

900 service

Operator Services

Available to presubscribed customers

Available to non presubscribed customers (for
example to patrons of hotels, students in
universities, patients in hospitals.

Available to inmates

Services included are:

Station assistance

Person to Person assistance

Directory assistance

Operator verify and interrupt

X Conference Calling

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

00

22. Other:

**** APPLICANT ACKNOWLEDGEMENT STATEMENT ****

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of its gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** A non-refundable application fee of \$250.00 must be submitted with the application.
5. **RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Orders relating to my provision of interexchange telephone service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding interexchange service.
6. **ACCURACY OF APPLICATION:** By my signature below, I the undersigned owner or officer of the named utility in the application, attest to the accuracy of the information contained in this application and associated attachments. I have read the foregoing and declare that to the best of my knowledge and belief, the information is a true and correct statement. Further, I am aware that pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083".

UTILITY OFFICIAL:



Signature DAVID BEDNARSH

President

Title

10/7/97

Date

(941) 957-0173

Telephone No.

** APPENDIX A **

CERTIFICATE TRANSFER STATEMENT

I, (TYPE NAME) _____,

(TITLE) _____, of (NAME OF COMPANY) _____

_____, and current holder of certificate number _____,

have reviewed this application and join in the petitioner's request for a transfer
of the above-mentioned certificate.

UTILITY OFFICIAL:

Signature

Date

Title

Telephone No.

** 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):

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

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

UTILITY OFFICIAL:



Signature DAVID BEDNARSH

President

Title

10/7/97

Date

(941) 957-0173

Telephone No.

INTRASTATE NETWORK

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

1) APPLICANT INTENDS TO RESELL FACILITIES.

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.

POP-to-POP

TYPE

OWNERSHIP

1) NONE

2)

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).

This will be decided in the near future. The applicant will initially provide service in those locations where the company, operating under its ALEC certificate has successfully negotiated an interconnection agreement with the incumbent LEC.

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).

See the answer to 4, above. Applicant will use the services of itself, operating under its ALEC certificate, to comply with the rule.

6. **CURRENT FLORIDA INTRASTATE SERVICES:** Applicant has () or has not (X) previously provided intrastate telecommunications in Florida. If the answer is has, fully describe the following:

a) What services have been provided and when did these services begin?

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

UTILITY OFFICIAL:



Signature DAVID BEDNARSH

President

Title

10/7/97

Date

(941) 957-0173

Telephone No

Utilicore Corporation

Financial Statement September 30, 1997

ASSETS

Current Assets	
Cash on hand	\$9,863.08
Accounts Receivable	\$41,821.37
Contracts Receivable	\$109,680.00
Total Current Assets	\$161,364.45
Fixed Assets	
Equipment - Corporate	\$12,108.00
Total Fixed Assets	\$12,108.00

TOTAL ASSETS

\$173,472.45

LIABILITIES

Current Liabilities	
Accounts Payable	\$8,724.79
Total Current Liabilities	\$8,724.79
Long Term Liabilities	
Notes Payable	\$30,000.00
Total Long Term Liabilities	\$30,000.00

TOTAL LIABILITIES

\$38,724.79

EQUITY

Current Year Earnings	\$134,747.66
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TOTAL EQUITY

\$134,747.66

TOTAL LIABILITY & EQUITY

\$173,472.45

By my signature below, I, David Bednarsh, chief executive officer of Utilicore Corporation, attest to the truth and accuracy of this unaudited financial statement.

10/7/97
Date


Signature DAVID BEDNARSH

Thomas M. Beard

5220 Greystoke Lane
Tallahassee, Florida 32308
(904) 894-1361

Professional Qualifications

Thomas M. Beard is the president and founder of Beard and Associates, a consulting firm that specializes in telecommunications, energy, water, disaster preparedness and international affairs. The firm has expertise in strategic planning, rate case review, rate structure, alternative regulation, economic development, economic analysis, and federal and state jurisdictional issues. He also currently serves as a member of the Board of Directors of Indiantown Company, the parent to telecommunications, water, banking, and real estate interests in western Martin County.

Mr. Beard was appointed to the Florida Public Service Commission in March 1987. He served as Chairman from January 1991 to January 1993. He ended his service to the State of Florida in August 1993.

During his appointment to the PSC, Mr. Beard worked at the national level in the telecommunications area. He served as chairman of the Communications Committee of the National Association of Regulatory Utility Commissioners (NARUC), and a member of the NARUC Executive Committee. He also served as president of the Southeastern Association of Regulatory Utility Commissioners (SEARUC).

Mr. Beard was the State Chairman of the Federal/State Joint Conference on Open Network Architecture (410(b)), which looked into many of the issues associated with the unbundling of the network. This was the first time that both the state and federal jurisdictions joined together to try and fashion an acceptable solution that could be supported by both.

Mr. Beard was the senior member of the Federal Communications Commission's (FCC) Federal/State Joint Board on Separations (80-286) which determines many of the financial separations issues between federal and state regulatory bodies. While he served, the Joint Board began a comprehensive review of the entire separations process in response to the rapid emergence of new technologies. He was also involved in initiating a review of the Universal Service Fund.

Professional Qualifications (Continued)

In the area of energy, Mr. Beard was a member of the Keystone Group which, at the time, was focused on resolution of the emissions trading aspects of the Clean Air Act. He was active in seeking a solution to the problems of disposal of high level radioactive nuclear waste.

Mr. Beard was in Miami during Hurricane Andrew and remained there as a part of the Governor's Emergency Operations Center. He served as a technical advisor in the preparation of the Governor's Disaster Planning and Response Review. He has additionally worked with other states, particularly California, in response to their preparations for potential catastrophic disasters.

Mr. Beard has testified before the United States Congress on several occasions. He has testified before the United States House Energy and Commerce Committee's Subcommittee on Telecommunications and Finance as well as before the United States Governmental Operations Subcommittee on Government Information, Justice and Agriculture. He also served as a member of the Technical Advisory Board to the U.S. Congress, Office of Technology Assessment. In international affairs, he has worked with members of both the European Community (EC), the Caribbean Basin and South America.

A native of Tampa, Mr. Beard holds a bachelor's degree from Florida State University, with a major in Biology and a minor in Chemistry. He later attended the University of Florida and received his Masters of Educational Administration and Supervision.

THOMAS M. BEARD
5220 Greystoke Lane
Tallahassee, Florida 32308
(904) 894-1361

EDUCATION

- 1982 NRECA Management Internship Program,
University of Nebraska at Lincoln, Nebraska.
- 1978 Master of Education, Administration and
Supervision, University of Florida at Gainesville,
Florida.
- 1971 Bachelor of Science, Major - Biology, Minor -
Chemistry, Florida State University at
Tallahassee, Florida.

EXPERIENCE

August, 1993 to Present

President
Beard & Associates

Thomas M. Beard founded Beard & Associates in August, 1993. The firm specializes in telecommunications, energy, water, disaster preparedness and with expertise in traditional and alternative regulatory structures, cost of capital, economic development, economic analysis, strategic planning, and federal/state jurisdictional issues. Mr. Beard's involvement with the legislative and regulatory process at the state, regional, and national level provides him with a network rich in experience and a background that few others can offer.

March 1987 to August, 1993

Chairman
Florida Public Service Commission

Chairman Beard was appointed by Governor Bob Martinez to the Florida Public Service Commission in March, 1987. He was reappointed in January 1990 to serve through January 4, 1994. As chairman of the Public Service Commission, he was responsible for the over-all management of the agency which develops the regulatory policy for the State of Florida and ensures that the private investor-owned utilities (telephone, electric, gas, water and wastewater companies) adhere to that policy. He additionally represented the Commission before the U.S. Congress, the Federal Communications Commission, the Federal Energy Regulatory Commission, and numerous other federal and state agencies.

December 1981 - March 1987

Manager of Personnel
Clay Electric Cooperative Inc.

Duties included responsibility for all personnel, safety, training, and employee relations in a non-union environment. Additional duties included the chairmanship of the ACRE committee (political action committee). Accomplishments include the review of the entire job evaluation and wage and salary systems.

November 1980 - December 1981

Coordinator
Training & Staff Service Projects,
Clay Electric Cooperative, Inc.

Duties included all training programs and special assignments to research organizational and management development areas. Accomplishments include the initiation of goals and objectives, work planning, and budget input from all areas of the Cooperative.

May 1980 - November 1980

Coordinator
Safety and Training,
Clay Electric Cooperative, Inc.

Duties included the responsibility for the total safety program to include Liability, Worker's Compensation, all worker safety programs, as well as responsibility for the training function. Accomplishments include the computerization of all safety records. The safety program was and continues to be accredited by the National Rural Electric Cooperative Association.

January 1979 - May 1980

Training Coordinator
Clay Electric Cooperative, Inc.

Duties included the implementation of this function at the Cooperative. Responsibilities for the development and implementation of curriculum in all areas. Accomplishments include the development of a computerized records system for all training records, as well as the development of much of the curriculum presently in effect.

July 1977 - January 1979

Assistant Principal
Putnam County School System

Duties included all curriculum development, performance appraisal of 50 teachers, supervision of the physical plant, custodial services, and food service activities in a union environment.

September 1975 - July 1977

Dean of Students
Putnam County School System

Duties included coordination of all student activities; responsibility for discipline and review of all student behavior and coordination of the financial aspects of the athletic budget

September 1973 - September 1975

Science Teacher
Putnam County School System

Responsibilities included instruction in Biology, Chemistry, and Physics to all high school students. Additional responsibilities included coaching the wrestling team, Science Club Sponsor, and French Club Sponsor.

December 1972 - June 1973

Science Teacher
Bradford County School System

Responsibilities included instruction in Biology, Earth Science and Physical Science to ninth and tenth grade students.

MILITARY HISTORY

Major, U.S. Army (Florida National Guard) - Retired July, 1992

September 1989 to July, 1992 - Communications Officer, Installation Support Unit, Camp Blanding Training Site, Camp Blanding, Florida.

August 1985 to August 1989 - Area Mobilization Officer, Selective Service Section, St Augustine, Florida.

January 1983 to August 1985 - Company Commander, 631st Maintenance Company, Starke, Florida.

October 1981 to January 1983 - Inactive Reserve

December 1980 to October 1981 - Detachment Commander for the 653rd Engineering Detachment, Camp Blanding, Florida.

1974 to December 1980 - Executive Officer for Battery A, 1/265 ADA, Palatka, Florida

1974 - Graduated from Officer Candidate School (FNG)

1972 - Trained as a medic at Fort Sam Houston, Texas

CLUBS AND ORGANIZATIONS

Member of the National Association of Regulatory Utility Commissioners
Communications Committee - Chair
Executive Committee Member
President, Southeastern Association of Regulatory Utility Commissioners
State Caucus of the FCC 410(b) Conference - Chairman
Member of FCC 80-286 Joint Board on Separations and Allocations
Palatka Jaycees-Chairman for various committees; Treasurer
Azalea Festival Chairman.
Member of Melrose Lodge No. 89, F & A.M.
Scottish Rite
Morocco Temple Shrine
Member of Rotary Club of Keystone Heights

AWARDS AND HONORS

Testify for NARUC before the United States House Energy and Commerce Committee, Subcommittee on Telecommunications and Finance regarding HR 1304 "Telephone Privacy Consumer Rights Act."

Testify for NARUC before the United States Governmental Operations Subcommittee on Government Information, Justice and Agriculture regarding the unauthorized changing of the customer selected long distance carrier.

Outstanding Young Educator, Putnam County

Florida Commendation Medal, Florida National Guard for work in training and leadership (2 awards).

TITLE PAGE
FLORIDA TELECOMMUNICATIONS TARIFF
OF
UTILICORE CORPORATION

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by Utilicore Corporation within the state of Florida.

Issued:

Effective:

By: David Bednarsh, President
Utilicore Corporation
2155 Main Street
Sarasota, Florida 34237

CHECK SHEET

Sheets 1 through 19, inclusive, of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Revised sheets, if shown below, reflect all changes from the original tariff.

SHEET	REVISION
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original
19	Original

Issued:

Effective:

By: David Bednarsh, President
Utilicore Corporation
2155 Main Street
Sarasota, Florida 34237

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Section 1 - Technical Terms and Abbreviations	6
Section 2 - Rules and Regulations	8
Section 3 - Description of Service	13
Section 4 - Rates	16

Issued:

Effective:

By: David Bednarsh, President
Utilicore Corporation
2155 Main Street
Sarasota, Florida 34237

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.

Issued:

Effective:

By: David Bednarsh, President
Utilicore Corporation
2155 Main Street
Sarasota, Florida 34237

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 its tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.

C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

- 2.
- 2.1
- 2.1.1
- 2.1.1.A.
- 2.1.1.A.1.
- 2.1.1.A.1.(a).
- 2.1.1.A.1.(a).I.
- 2.1.1.A.1.(a).I.(i).
- 2.1.1.A.1.(a).I.(i).(1).

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 reference to the current revision number. When new pages are added, the Check Sheet is changed to reflect the revision. 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:**Effective:**

By: David Bednarsh, President
Utilicore Corporation
2155 Main Street
Sarasota, Florida 34237

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - A transmission path which connects the customer's location to a carrier switching center or point of presence.

Application for Service - A standard order form that contains information to enable the Company to provide the service required by the customer.

Calling Card - A billing convenience whereby the customer may bill the charges for a call to an approved telephone company-issued calling card. The terms and conditions of the local telephone company will apply to payment arrangements.

Collect Billing - A billing convenience whereby the originating caller may bill the charges for a call to the called party, provided the called party agrees to accept the charges.

Company or Carrier - Utilicore Corporation unless otherwise clearly indicated by the context.

Customer - The person, firm, corporation or other entity which orders or uses services provided by the Company and is responsible for the payment of charges for the services.

Credit Card - A billing convenience whereby the customer may bill the charges for a call to an authorized charge card.

Dial Access - Provision of access to the interexchange network via a local telephone line provided by the LEC or by other access connection facilities provided by other carriers or entities.

FPSC - Florida Public Service Commission

Holidays - Holidays observed by the Carrier are: New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

LEC - Local Exchange Company

Operator-Station Call - A service whereby the originating End User requests the assistance of a Company operator to place or bill the call. Calls billed Collect or to a telephone company-issued Calling Card or to an authorized Credit Card are Operator-Station calls unless the call is placed on a Person-to-Person basis. Automated Calling Card calls are not Operator-Station calls.

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By: David Bednarsh, President
Utilicore Corporation
2155 Main Street
Sarasota, Florida 34237

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, CON'T

Person-to-Person Call - A Service whereby the originating End User specifies to the Company operator a particular person to be reached, or a particular station, room number, department, or office to be reached through a PBX attendant.

Project Code - A three digit numerical code available to customers to enable identification of users on the customer's account for purposes of allocating costs of service to particular users.

Serving Wire Center - A geographic point from which the vertical and horizontal coordinate is used in calculation of airline mileage for the purposes of rating a call.

Subscriber - A term synonymous with Customer.

Third Party Billing - A billing convenience by which the charges for a call may be billed to a telephone number that is different from the calling number and the called number.

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SECTION 2 - RULES AND REGULATIONS**2.1 Undertaking of Utilicore Corporation.**

Utilicore Corporation's services and owned or leased facilities are furnished for communications originating and or terminating at specified points within the state of Florida under terms of this tariff.

Utilicore Corporation installs, operates, and maintains the communications services provided hereinunder in accordance with the terms and conditions set forth under this tariff. Utilicore Corporation may use LEC facilities or may order access connection facilities provided by other carriers or entities, in order to allow connection of a Subscriber's location to Utilicore Corporation's network.

The Company's services and facilities are billed monthly, unless otherwise provided, and are available twenty-four hours per day, seven days per week.

2.2 Limitations

- 2.2.1 Service is offered subject to availability of the necessary facilities and equipment, and service is subject to the provisions of this tariff.
- 2.2.2 Utilicore Corporation reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff, or in violation of the law.
- 2.2.3 Utilicore Corporation does not undertake to transmit messages, but offers the use of its owned or leased facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- 2.2.4 All facilities provided under this tariff are directly controlled by Utilicore Corporation and the Subscriber may not transfer or assign the use of service or facilities without the express written consent of the Company.

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2155 Main Street
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SECTION 2 - RULES AND REGULATIONS (CON'T.)**2.2 Limitations (Con't.)**

- 2.2.5 All regulations and conditions contained in this tariff shall apply to all permitted assignees or transferees.

2.3 Use

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

2.4 Liabilities of the Company

- 2.4.1 Utilicore Corporation's liability for damages arising out of mistakes, interruptions, omission, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the faults in transmission occur.
- 2.4.2 The Company shall not be liable for claim for 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, if caused by any person or entity other than the Company, by any malfunction or any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.4.3 The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer against any claim for loss, expense or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, tradename or service mark, unfair competition, interference with or misappropriation or violation of any contract,

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SECTION 2 - RULES AND REGULATIONS (CON'T.)

2.4 Liabilities of Company (Con't.)

2.4.3 (Con't.)

proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer or Subscriber; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.

2.4.4 No agent or employee of any other carrier shall be deemed to be an agent or employee of the Company, except that independent sales agents and billing agents for Utilicore Corporation may occasionally act as an agent for Utilicore Corporation.

2.4.5 The Company shall not be liable for any defacement of or damages to the premises of a Subscriber resulting from the furnishing of service which is not the direct result of the Company's negligence.

2.5 Deposits

The Company does not require a deposit from Customers.

2.6 Advance Payments

The Company, at its option, may require an advance payment from certain customers, and Utilicore Corporation 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, if necessary, a new advance payment will be collected for the next month, until the Customer's payment record has become acceptable to the Company.

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SECTION 2 - RULES AND REGULATIONS (CON'T.)

2.7 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

2.8 Terminal Equipment

The Company's facilities and service may be used with or terminated in Subscriber-provided terminal equipment or Subscriber-provided communications systems, such as a PBX or Pay Telephone. Such terminal equipment shall be furnished and maintained at the expense of the Subscriber, except as otherwise provided. The Subscriber is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of Utilicore Corporation's service. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.

2.9 Installation and Termination

Service will be commenced after mutual agreement between the Subscriber and the Company. The agreement will determine terms and conditions of installation, termination of service, any applicable sales commission structure, and sales commission payment schedule. The service agreement does not alter rates specified in this tariff.

2.10 Payment for Service

All charges due by the Customer are payable to any agency duly authorized to receive such payments. The billing agency may be a local exchange telephone company, or other billing service. Terms of payment shall be according to the rules and regulations of the Company and regulatory agencies, such as the Florida PSC. Any objections to billed charges must be promptly reported to the Company's billing agent. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate. If any payment is made by a check which is returned for insufficient funds, the Company will impose a charge as allowed by §832.07, F.S.

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SECTION 2 - RULES AND REGULATIONS (CON'T.)

2.11 Other Rules

- 2.11.1 The Company reserves the right to refuse Third Party billing at its discretion.
- 2.11.2 The Company reserves the right to refuse to process Credit Card or Calling Card billed calls when authorization for use of the card cannot be validated.
- 2.11.3 The Company reserves the right to discontinue service, limit service, or to impose requirements on Subscribers as required to meet changing regulatory rules and standards of the FPSC.

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SECTION 3 - DESCRIPTION OF SERVICE**3.1 Timing of Calls**

- 3.1.1 Long distance usage charges are based on the actual usage of Utilicore Corporation's network. Usage begins when the called party picks up the receiver, as determined by hardware answer supervision of the local telephone company. A call is terminated when either party disconnects from the call.
- 3.1.2 Unless otherwise specified in this tariff, the minimum call duration for billing purposes is one minute.
- 3.1.3 Unless otherwise specified in this tariff, usage is measured and rounded to the higher full minute for billing purposes.
- 3.1.4 There will be no billing applied for incomplete calls.

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 serving wire center of the Subscriber's equipment and that of the destination point is calculated by using the "V" and "H" coordinates found in NECA FCC Tariff No. 4, in the following manner:

Step 1 - Obtain the "V" and "H" coordinates for the serving wire centers of the Subscriber's switch 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.

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SECTION 3 - DESCRIPTION OF SERVICE (CON'T.)**3.2 Calculation of Distance (Con't.)**

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 serving wire centers.

Formula:

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

3.3 Utilicore Corporation's Long Distance Service

Utilicore Corporation's Long Distance Service is offered to customers for calling within the state of Florida. Customers generally access Utilicore Corporation's network via local exchange company provided Feature Group D access. Calls are routed over the Company's owned or leased transmission and switching facilities to any valid NPA-NXX in the state of Florida.

Utilicore Corporation's long distance service is provided for interLATA calling only. Zero minus "0-" and zero plus "0+" intraLATA calls will be routed to the Local Exchange Company.

3.4 Per Call Surcharges

3.4.1 Per call surcharges are applicable to calls originated by Customers, based upon the type of call origination, i.e., operator assisted, person-to-person, station-to-station and credit card. Surcharges apply in all rate periods and are in addition to per minute of use charges.

3.4.1.A. Operator Assistance Call Surcharge - applicable to calls originated to an operator for:

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SECTION 3 - DESCRIPTION OF SERVICE (CON'T.)

3.4 Per Call Surcharges (Con't.)

3.4.1.A.1.	Operator-Station	\$1.00*
3.4.1.A.2.	Operator Person-to-Person	\$2.50
3.4.1.A.3.	Directory Assistance Charge per call	\$.75**
3.4.1.A.4.	Conference Service, per called station	\$2.50
3.4.1.A.5.	Busy Line Verification	\$.95
3.4.1.A.6.	Busy Line Interruption	\$1.40
3.4.1.B.	Credit Card Call Surcharge - applicable to calls without operator assistance	
3.4.1.B.1.	Per call	\$.80

* Does not apply to calls where a customer cannot otherwise dial the call due to a) defective equipment or trouble on the network or b) identifies himself or herself as handicapped and in need of assistance to make the call or c) the customer wants to make a credit card call that the customer is having difficulty making without operator assistance.

** Not applicable to handicapped persons who are unable to use the telephone directory.

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SECTION 4 - RATES

4.1 Utilicore Corporation's Long Distance Service Rates

DAYTIME RATES

<u>Miles</u>	<u>Initial Minute</u>	<u>Each Add'l Minute</u>
0-10	\$.1900	\$.1900
11-22	.2200	.2200
23-55	.2500	.2500
56-124	.2500	.2500
125-above	.2800	.2800

EVENING RATES

<u>Miles</u>	<u>Initial Minute</u>	<u>Each Add'l Minute</u>
0-10	\$.1425	\$.0675
11-22	.1700	.0700
23-55	.1900	.1900
56-124	.2000	.2000
125-292	.2000	.2000
293-430	.2000	.2000
431-624	.2100	.2100

NIGHT/WEEKEND RATES

<u>Miles</u>	<u>Initial Minute</u>	<u>Each Add'l Minute</u>
0-10	\$.0950	\$.0450
11-22	.1300	.1300
23-55	.1400	.1400
56-124	.1500	.1500
125-292	.1500	.1500
293-above	.1600	.1600

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SECTION 4 - RATES (CON'T.)

4.3 Per-minute Charges - Applicable Rate Periods

Daytime Rates: 8:00 a.m. to 5:00 p.m. Monday through Friday

Evening Rates: 5:00 p.m. to 11:00 p.m. Monday through Friday

Night/Weekend Rate: 11:00 p.m. to 8:00 a.m. Monday through Friday
8:00 a.m. Saturday through 8:00 a.m. Monday

4.4 Holiday Discounts

Rates Applicable on Certain Holidays:

On Christmas Day (December 25), New Year's Day (January 1), Independence Day (July 4), Thanksgiving Day and Labor Day the rate applicable is the Evening rate unless a lower rate would otherwise be applicable.

4.5 Emergency Calls

In the event that an emergency call is sent to Utilicore Corporation, no charge will apply to calls placed to recognized emergency agencies (such as fire, police, and poison control).

4.6 Discounts for Hearing Impaired Persons

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired 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. 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. Discounts do not apply to surcharges or per call add-on charges when the call is placed by a method that would normally incur the surcharge.

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SECTION 4 - RATES (CON'T.)

4.7 Volume Discounts

When eligible calls are made, not including 700 or 900 calling charges, then a 25% discount will be applied to the rates listed in Section 4.1.

For the purpose of the discount offered in the foregoing paragraph, the discount will be applied to the total usage charges for a monthly billing period.

4.8 Promotional Offerings

From time to time Utilicore Corporation may offer special promotions to its customers. These offerings may be limited to certain dates, times and locations.

4.9 Utilicore Corporation's Alternative Plan Rates

Utilicore Corporation will provide the Alternative Plan Rates specified below to customers who have selected Utilicore Corporation as their primary interexchange carrier and have chosen a schedule through a company contact.

4.9.1 Residential \$.10 Plan

Utilicore Corporation will use the schedule below to rate eligible calls during all times of day, seven days a week, in lieu of the rates specified in Section 4.1.

<u>Class of Service</u>	<u>Rate Per Minute</u>	<u>Monthly Service Charge</u>
InterLATA	\$.10	\$4.50

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SECTION 4 - RATES (CONT'D.)

4.9.2 Residential \$.15 Plan

Utilicore Corporation will use the schedule below to rate eligible calls during all times of day, seven days a week, in lieu of the rates specified in Section 4.1.

<u>Class of Service</u>	<u>Rate Per Minute</u>	<u>Monthly Service Charge</u>
InterLATA	\$.15	None

4.9.3 Business \$.17 Plan

Utilicore Corporation will use the schedule below to rate eligible calls during all times of day, seven days a week, in lieu of the rates specified in Section 4.1.

<u>Class of Service</u>	<u>Rate Per Minute</u>	<u>Monthly Service Charge</u>
InterLATA	\$.17	None

4.10 Toll Free Service (Terminating Switched Access)

4.10.1 Rates

<u>Class of Service</u>	<u>Rate Per Minute</u>	<u>Monthly Service Charge</u>
InterLATA	\$.23	\$ 5.00

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YOUNG, VAN ASSENDERP & VARNADOE, P. A.
ATTORNEYS AT LAW

REPLY TO:

R. BRUCE ANDERSON
TASHA O. BUFORD
DAVID B. ERWIN
DAVID P. HOPSTETTER*
C. LAURENCE KEESEY
ANDREW I. SOLIS
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*BOARD CERTIFIED REAL ESTATE LAWYER

WILLIAM J. ROBERTS
OF COUNSEL

DEPOSIT DATE
D 635 OCT 16 1997

October 15, 1997

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971346

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Utilicore Corporation - Application for Authority to Provide Interexchange
Telecommunications Service Within the State of Florida.

Dear Ms. Bayo:

Enclosed please find the original and six copies of the above captioned application on
behalf of Utilicore Corporation. Florida Telecommunications Tariff Number One is included as an
attachment to this application. The application fee of \$250.00 is also enclosed.

Sincerely,



David B. Erwin

97
OCT 16 1997

UTILICORE CORPORATION 07-16-97
(941)957-0173
2155 Main Street
Sarasota, FL 34237

1009

October 7 19 97

PAY TO THE ORDER OF Florida Public Service Commission

\$ 250.00

THE SUNTRUST BANK

DOLLARS Florida Public Service Commission

SUNTRUST

SunTrust Bank, Gulf Coast
Downtown Sarasota Office
Sarasota, FL 1-800-825-4708

FOR IXC Application Fee



YOUNG, VAN ASSENDERP & VARNADOE, P. A.
ATTORNEYS AT LAW

REPLY TO

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David B. Erwin

DBE:akh
Enclosures
cc: Tom Beard