



MEMBER  
COMPTEL

October 22, 1997

971410-TI



Florida Public Service Commission  
Division of Record and Reporting  
2540 Shumard Oak Blvd.  
Easley Building  
Tallahassee, Florida 32399-0850



RE: Application for Certificate of Authority for **Tele Tower Inc.** to resell  
Interexchange Telecommunications Services in the State of Florida

Dear Florida Public Service Commission:

Professional  
Certification  
Services

**Tele Tower Inc.** hereby submits the enclosed Application, seeking authority to  
operate as a reseller of interexchange telecommunications services within the State of  
Florida.

An original and twelve (12) copies of the application, and all other supporting  
documents are provided. A check in the amount of \$250.00 to cover the application  
fee is enclosed as well.

Please date-stamp the attached copy of this letter and return it in the enclosed postage-  
paid return envelope to the undersigned.

Should there be any question or additional information required, please do not  
hesitate to contact me at the indicated phone number. Thank you.

Sincerely,

*Dana Hoyle*  
Dana Hoyle  
(817) 281-4727

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  
*HJ*

Enclosures



500 GRAPEVINE HWY  
SUITE 300  
HURST TEXAS 76044  
TEL (817) 281-4727  
FAX (817) 281-4627  
http://www.pcs-tele.com

DOCUMENT NUMBER-DATE

10986 OCT 24 5

FPSC RECORDS/REPORTING

ORIGINAL

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

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

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

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

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

*Tele Tower Inc*

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

*Tele Tower Inc*

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

*84-21 37th Avenue  
Flushing, New York 11369*

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

*N/A*

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.

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

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

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

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

9. If incorporated, please give:

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

Corporate charter number: F970XXXX02676

- (b) Name and address of the company's Florida registered agent. *Corporation Service Company*  
*1201 Hays Street, Suite 105, Tallahassee, Florida 32301*

- (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;

*Dana Hoyle*  
*Preferred Carrier Services, Inc*  
*500 Grapevine Highway, Suite 300*  
*Hurst, Texas 76054-2707*

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

*Nimesh Patel, Vice President*  
*84-21 37th Avenue*  
*Flushing, New York 11369*

(c) Tariff;

*same as (b)*

(d) Complaints/Inquiries from customers;

*Nimesh Patel, Vice President  
84-21 37th Avenue  
Flushing, New York 11369  
(718)429-3100*

11. List the states in which the applicant:

(a) Has operated as an interexchange carrier

*New Jersey, New York and Texas*

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

*Connecticut*

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

*New Jersey, New York and Texas*

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

*None*

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

*None*

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

*None*

12. What service will the applicant offer to other certificated 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:                  |                                     |

*At this time, the Applicant does not offer any wholesale services. Applicant may in the future expand Feature Group D into the State, and in such case, may offer wholesale services, and as such would amend and update its tariff as applicable*

13. Do you have a marketing program?

Yes.

14. Will your marketing program:

Pay commissions?

Offer sales franchises?

Offer multi-level sales incentives?

Offer other sales incentives?

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

*The company may provide independent agents with commissionable programs. All agents are required to sign an agreement and adhere to applicable State regulatory issues*

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) \_\_\_\_\_

N/A

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?

*The Company intends to provide service on a prepaid calling card basis, therefore no bills will be generated. However, in the event the company bills for service, the name of the company will appear on the bill.*

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

N/A

18. Please provide all available documentation demonstrating that the applicant has the following capabilities to provide interexchange telecommunications service in Florida.
- A. Financial capability. *see attached financial statements.*
  - B. Managerial capability. *see attached management profiles*
  - C. Technical capability. *see attached management profiles.*

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 attached proposed tariff*

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

**MTS with distance sensitive per minute rates**

- Method of access is FGA
- Method of access is FGB
- Method of access is FGD
- Method of access is 800

**MTS with route specific rates per minute**

- Method of access is FGA
- Method of access is FGB
- Method of access is FGD
- Method of access is 800

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

- Method of access is FGA
- Method of access is FGB
- Method of access is FGD
- Method of access is 800

**MTS for pay telephone service providers**

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

**800 Service (Toll free)**

**WATS type service (Bulk or volume discount)**

Method of access is via dedicated facilities

Method of access is via switched facilities

**Private Line services (Channel Services)**

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

**Travel Service**

Method of access is 950

Method of access is 800

**900 service**

**Operator Services**

Available to presubscribed customers

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

Available to inmates

**Services included are:**

Station assistance

Person to Person assistance

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).

*Dial an 800 number for access to the network. Then the end user dials the number and an access code for call completion.*

21.  **Other:**

**ATTACHMENTS:**

A - CERTIFICATE TRANSFER STATEMENT

B - CUSTOMER DEPOSITS AND ADVANCE PAYMENTS

C - INTRASTATE NETWORK

APPLICANT ACKNOWLEDGMENT STATEMENT

D - FLORIDA TELEPHONE EXCHANGES and EAS ROUTES

E - GLOSSARY



**\*\* APPENDIX B \*\***

**CUSTOMER DEPOSITS AND ADVANCE PAYMENTS**

A statement of how the Commission can be assured of the security of the customer's deposits and advance payments may be responded to in one of the following ways (applicant please check one) :

- ( X )            **The applicant will not collect deposits nor will it collect payments for service more than one month in advance.**
- (   )            **The applicant will file with the Commission and maintain a surety bond in an amount equal to the current balance of deposits and advance payments in excess of one month. (Bond must accompany application.)**

**UTILITY OFFICIAL:**

  
Signature

10/22/97  
Date

Ashok Patel

President

Title

(718)429-3100

Telephone No

**\*\* APPENDIX C \*\***

**INTRASTATE NETWORK**

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

1) 2)

3) 4)

*N/A Company is a non-facilities based carrier*

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

1) 2)

3) 4)

*N/A Company is a non-facilities based carrier*

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

1) POP-TO-POP TYPE OWNERSHIP

2)

*N/A Company is a non-facilities based carrier*

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).

*Entire State of Florida*

5. **TRAFFIC RESTRICTIONS:** Please explain how the applicant will comply with the EAEA requirements contained in Commission Rule 25-24.471 (4) (a) (copy enclosed)

*Applicant will comply with Commission Rule 25-24.471 (4) (a) Intra-LATA toll service will be provided only to end users with whom Applicant has a prior or ongoing relationship or who dial the appropriate access code*

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?

N/A

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

N/A

UTILITY OFFICIAL:

  
Signature

10/22/97  
Date

Ashok Patel


President  
Title

(718)429-3100  
Telephone No

**\*\* 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 two and one-half percent on all intra and interstate business.
  
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
  
4. **APPLICATION FEE:** A non-refundable application fee of \$250.00 must be submitted with the application.
  
5. **RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Orders relating to my provision of interexchange telephone service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding AAV service.
  
6. **ACCURACY OF APPLICATION:** By my signature below, I the undersigned owner or officer of the named utility in the application, attest to the accuracy of the information contained in this application and associated attachments. I have read the foregoing and declare that to the best of my knowledge and belief, the information is a true and correct statement. Further, I am aware that pursuant to Chapter 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

**UTILITY OFFICIAL:**

  
Signature

11/22/91  
Date

Ashok Patel

President  
Title

(718)429-3100  
Telephone No

**TELE TOWER INC.**

**LETTER OF AUTHORITY**

**from the**

**Florida Secretary of State**



**FLORIDA DEPARTMENT OF STATE**  
**Sandra B. Mortham**  
Secretary of State

May 20, 1997

**PREFERRED CARRIER SERVICES, INC.**  
**C/O DANA HOYLE**  
**500 GRAPEVINE HWY., STE 300**  
**HURST, TX 76054**

Qualification documents for TELE TOWER INC. were filed on May 15, 1997 and assigned document number F97000002676. 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.

**Michael Mays**  
Document Specialist  
Division of Corporations

Letter Number: 297A00027199

**TELE TOWER INC.**

**FINANCIAL STATEMENTS**

Qimat Goyal  
Kapal Bahl

**Qimat R. Goyal, Inc.**  
Professional Tax & Accounting Services  
1725 Central Park Avenue • Yonkers, NY 10710

914-961-2687  
914-961-2090  
FAX 914-961-7448

Oct 8, 1997

Mr. Ashok Patel  
84-21, 37th Avenue  
Jackson Heights  
NY 11372

Dear Mr. Patel

Enclosed please find your Income Statement for the period Jan '97 thru July '97. All information included in this statement is representation of the management of business.

Based on my review, I am not aware of any material modification that should be made to the accompanying statement in order for this to be in conformity with the generally accepted accounting principles.

Thank you.

Sincerely,

*Q. Goyal*  
Qimat R. Goyal



TELE TOWER, INC  
INCOME STATEMENT  
JAN-JULY, 1997

## INCOME:

Gross Income	\$ 4,134,035	
Less: Cost of Goods Sold	(3,847,486)	
Net Gross Income		\$ 286,549

## EXPENSES:

Office Expenses	3,612	
Telephone & Utilities	10,917	
Prof & Legal Expenses	8,084	
Travel	6,793	
Taxes	3,168	
License Fees	3,216	
Interest	67	
Bank Charges	5,286	
Total Expenses		41,143
NET OPERATING INCOME		245,406

TELE TOWER, INC  
BALANCE SHEET  
AS OF 03-31-97

ASSETS:

Current Assets:

Cash in Bank	66,160
Cert. of Deposit	100,000

-----  
\$166,160

Fixed Assets:

Furn. & Equipment	45,292
Accum. Depreciation	(12,682)

-----  
\$32,610

Other Assets:

Advance for Equipment	75,000
Security Deposit	50,000

-----  
\$125,000

Total Assets

-----  
\$323,770

LIABILITIES:

Accounts Payable

\$78,740

Capitol Stock

\$200,000

Retained Earnings

\$45,030

-----  
\$323,770

TELE TOWER, INC  
INCOME STATEMENT  
FROM JAN-MAR 1997

INCOME:

Gross Income	723,100
Less: Cost of Goods Sold	(603,392)

-----  
\$119,708

EXPENSES:

Office Expenses	887
Telephone & Utilities	5,892
Prof. & Legal Expenses	500
Travel	2,185
Taxes	1,250
License Fees	735
Interest	50
Bank Charges & commission	2,505

-----  
\$14,054

Net Operating Income

-----  
\$105,674  
-----

**TELE TOWER INC.**

**MANAGEMENT PROFILES**

## MANAGERIAL PROFILE

### ASHOK PATEL, PRESIDENT

Mr. Patel is an Aeronautics Maintenance Engineer who has co-owned and operated his own business specializing in consumer products and services that include financial services (i.e. Western Union, American Express). Mr. Patel earned his degree from The Academy of Aeronautics - New York and has been in telecommunications since the inception of Tele Tower, Inc. in July of 1996.

### KALA PATEL, SECRETARY

Ms. Patel has a B.A. in Economics from M.S. University in India. She has co-owned and operated her own business specializing in consumer products and services that include financial services (i.e. Western Union, American Express). Ms. Patel has been in telecommunications since the inception of Tele Tower, Inc. in July of 1996.

### RAJESH PUROHIT, TECHNICAL DIRECTOR

Mr. Purohit has a B.S. in Computer Science from Bombay University in India. He has twenty years experience as a computer consultant and possesses an in-depth knowledge of telecommunication systems. Mr. Purohit has been in telecommunications since the inception of Tele Tower, Inc. in July of 1996.

**TELE TOWER INC.**

**PROPOSED TARIFF**

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**FLORIDA TELECOMMUNICATIONS TARIFF**

This tariff applies to the resale telecommunications services furnished by Tele Tower Inc. between one or more points in the State of Florida. This tariff is on file with the Florida Public Service Commission and at the Company's office at 84-21 37<sup>th</sup> Avenue Flushing, New York 11369. Copies may be inspected during normal business hours.

---

Issued:

Effective:

Issued By: Ashok Patel, President  
Tele Tower Inc.  
84-21 37<sup>th</sup> Avenue  
Flushing, New York 11369

**CHECK SHEET**

Sheets 1 through 22 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<u>SHEET</u>	<u>REVISION</u>	<u>SHEET</u>	<u>REVISION</u>
1	Original *	12	Original *
2	Original *	13	Original *
3	Original *	14	Original *
4	Original *	15	Original *
5	Original *	16	Original *
6	Original *	17	Original *
7	Original *	18	Original *
8	Original *	19	Original *
9	Original *	20	Original *
10	Original *	21	Original *
11	Original *	22	Original *

\* indicates new or revised sheet with this filing

Issued: \_\_\_\_\_

Effective: \_\_\_\_\_

Issued By: Ashok Patel, President  
Tele Tower Inc.  
84-21 37<sup>th</sup> Avenue  
Flushing, New York 11369



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Issued:

Effective: \_\_\_\_\_

Issued By: Ashok Patel, President  
 Tele Tower Inc.  
 84-21 37<sup>th</sup> Avenue  
 Flushing, New York 11369

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Issued:

Effective: \_\_\_\_\_

Issued By: Ashok Patel, President  
Tele Tower Inc.  
84-21 37<sup>th</sup> Avenue  
Flushing, New York 11369

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**EXPLANATION OF 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

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Issued:

Effective: \_\_\_\_\_

Issued By: Ashok Patel, President  
Tele Tower Inc.  
84-21 37<sup>th</sup> Avenue  
Flushing, New York 11369

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**TARIFF FORMAT**

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- 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 10 and 11 would be 10.1.
- 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 revision on file with the PSC. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc., the PSC follows in their 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).1.
  - 2.1.1.A.1.(a).1.(i).
  - 2.1.1.A.1 (a).1.(i).(1).
- D. Check Sheets - When a tariff filing is made with the PSC, 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 this page if there are 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 PSC.

---

Issued:

Effective: .....

Issued By: Ashok Patel, President  
Tele Tower Inc.  
84-21 37<sup>th</sup> Avenue  
Flushing, New York 11369

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

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**Access Line** - A circuit which connects the calling customer's location to an interexchange switching center.

**Access Code** - A numeric code that, when dialed, connects the caller to the provider of services associated with that sequence

**Account Code** - A code assigned to a customer, a project, a department, a division, etc. A person dialing a long distance phone call must enter that code so the computer can assign the cost of that call at the end of the month or designated time period to a particular account.

**Authorization Code** - A numeric code, one or more of which are available to a customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the customer for billing purposes. All authorization codes shall be the sole property of the Company and no Customer shall have any property or other right or interest in the use of any particular authorization code.

**Authorized User** - A user who is a customer, or a person authorized by a customer that uses the Company's services. An Authorized User is responsible for compliance with this tariff.

**Billed Party** - The person or entity responsible for payment for use of the Company's service(s).

**Call Forwarding** - The ability to forward incoming 800/888 calls to another telephone location.

**Called Station** - The termination point of a call (i.e. the called number).

**Calling Station** - The origination point of a call (i.e. the calling number).

**Central Office** - A Local Exchange Carrier switching system where Local Exchange Carrier customer station loops are terminated for purposes of interconnection to each other and to trunks.

**Channel** - A path for electrical transmission between two or more points, the path having a band width designed to carry voice grade transmission.

**Common Carrier** - A company or entity providing telecommunications services to the public.

**Company** - Tele Tower Inc.

**Credit Card Calls (Calling Card Calls)** - A call for which charges are billed not to the originating telephone number, but to a credit card, such as Visa or Master Card, or to a LEC or interexchange carrier calling card, including calling cards issued by the Company.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (Continued)**

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**Customer** - Any person, firm, partnership, association, joint stock company, trust, corporation, governmental entity or any other entity ordering service, that is responsible for payment of charges and for compliance with this tariff.

**Customer Dialed Calling Card Call** - A call that is billed to a Calling Card that does not require intervention by an attended operator position to complete.

**Customer Provided Equipment** - Telecommunications equipment provided by a customer or authorized user used to originate calls using the Company's service.

**Day** - From 8:00 AM up to but not including 5:00 PM local time Monday through Friday.

**Direct Dialed Call** - An intrastate telephone call that is automatically completed and billed to the telephone number from which the call originated without the assistance of a live or automated operator. This includes calls forwarded by call forwarding equipment.

**Evening** - From 5:00 PM up to but not including 11:00 PM local time Sunday through Friday.

**Exchange** - A geographic area established by the tariff of Local Exchange Carriers for the administration of communications service in a specified area that usually embraces a city, town or village and its environs. It consists of one or more Central Offices together with the associated facilities used in furnishing communications service within that area.

**FCC** - The Federal Communication Commission.

**Local Exchange Carrier (LEC)** - A telephone company utility which provides local telecommunications services to a specific geographical area for business and residential customers.

**Night/Weekend** - From 11:00 PM up to but not including 8:00 AM Sunday through Friday, and 8:00 AM Saturday up to but not including 5:00 PM Sunday.

**On-Line Billing** - Method of billing where the bill is transmitted and received by computer.

**Other Common Carrier** - A common carrier, other than the Company, providing intrastate communications service(s) to the public.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (Continued)**

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**Personal Identification Number (PIN)** - A numeric code, one or more of which may be assigned to a Customer, to enable the Company to identify the origin of the service user for security and/or billing purposes. All PIN codes shall be the sole property of the Company and no Customer shall have any property or other right or interest in the use of any particular PIN code.

**Point of Presence** - The site(s) where the Company provides a network interface with facilities provided by the Other Common Carrier, Local Exchange Carriers or Customers for Access to the Company's network configuration.

**Prepaid Phone Card** - A prepaid long distance calling card sold in increments to the end user. The card is accessed by an 800 number and each time the card is used the remaining balance is given to the end user.

**Premises** - A building or buildings on contiguous property (except railroad rights-of-way, etc.) not separated by a public highway.

**Subscriber** - The person or legal entity which enters into an arrangement for the Company's telecommunications services.

**Uncompleted Call** - Any call where the communication path between the calling and the called station is not established (i.e., busy, no answer, etc.).

**United States** - The forty-eight (48) contiguous states and the District of Columbia, Hawaii, Alaska, Puerto Rico, the U. S. Virgin Islands, as well as the off-shore areas outside the boundaries of the coastal states of the forty-eight contiguous states to the extent that such areas appertain to and are subject to the jurisdiction and control of the United States.

**User** - The person at the Subscriber's location who actually places the call through the Company's service.

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**SECTION 2 - RULES AND REGULATIONS**

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**2.1. Application of Tariff**

This tariff contains the regulations and rates applicable to the provision of intrastate resale telecommunication services by Tele Tower Inc. (Company) between points within the State of Florida as specified in this tariff. Service is furnished subject to the availability of facilities and subject to transmission, atmospheric and like conditions.

All terms, conditions and limitations of liability contained in this tariff apply to all Florida intrastate services provided by the Company, including those where charges are established pursuant to contract, unless the contract explicitly provides otherwise.

**2.2. Service Description**

Florida Intrastate Long Distance Message Telecommunication Services (hereinafter referred to as "LDMTS") is offered to residential and business Customers of the Company for the transmission of voice communications calls placed between one or more stations in the state of Florida. The Company provides long distance network Services for voice grade and data transmission services. All services are provided subject to the terms and conditions set forth in this tariff.

The company installs, operates and maintains the communication service provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to the Company's network. The customer shall be responsible for all charges due for such service arrangement.

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

**2.3. Interconnection with Other Common Carriers**

The Company reserves the right to interconnect its services with those of any Other Common Carrier, Local Exchange Carrier, or alternate access provider of its election, and to utilize such services concurrently with its own facilities for the provision of Service offered in this tariff.

**2.4. Shortage of Facilities**

All service is subject to the availability of suitable facilities. The Company reserves the right to limit the length of communications or to discontinue furnishing service when necessary because of the lack of satellite or other transmission medium capacity or due to any causes beyond its control.

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**SECTION 2 - RULES AND REGULATIONS (Continued)**

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**2.5. Use of Services**

- 2.5.1. Customers may only use the services provided under this tariff in a manner consistent with the terms of this tariff and all governmental authorities having jurisdiction over the service.
- 2.5.2. Services provided in this tariff shall not be used for unlawful purposes.
- 2.5.3. The use of the Company's Service(s) without payment for Service or attempting to avoid payment for Service(s) by fraudulent means or devices, schemes, false or invalid numbers of false calling or credit cards is prohibited.

**2.6. Liability of the Company**

- 2.6.1. Except as stated in Section 2.5., the Company shall have no liability for damages of any kind arising out of or related to events, acts, rights or privileges contemplated in this tariff. This tariff does not limit the liability of the Company for gross negligence or willful misconduct.
- 2.6.2. The liability of the Company, if any, for damages resulting from or related to the furnishing of Service(s) in this tariff, including but not limited to mistakes, omissions, interruptions, delays, errors, defects in transmission, or failures or defects in facilities furnished by the Company shall in no way exceed an amount of money equivalent to the charges applicable under this tariff. However, any such mistakes, omissions, interruptions, delays, errors, or defects in transmission or Service(s) that are caused by or contributed to by the negligence or willful act of the Customer, or which arise from the use of Customer-Provided Facilities or equipment shall not result in the imposition of any liability upon the Company.
- 2.6.3. THE COMPANY DISCLAIMS ANY EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SERVICES, INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.
- 2.6.4. The Company is not liable for any act, omission or negligence of any Local Exchange Carrier or other provider whose facilities are used concurrently in furnishing any portion of the Service(s) received by Customer, or for the unavailability of or any delays in the furnishing of any Service(s) or facilities that are provided by any Local Exchange Carrier. Should the Company employ the service of any Other Common Carrier in furnishing the Services provided to Customer, the Company's liability shall be limited according to the provisions of Section 2.5.2. above and elsewhere in this tariff.

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**SECTION 2 - RULES AND REGULATIONS (Continued)**

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**2.6. Liability of the Company (Continued)**

- 2.6.5. The Company shall not be liable for any failure of performance due to causes beyond its control, including but not limited to fire, flood, or other catastrophes; Acts of God; atmospheric conditions or other phenomena of nature; federal, state or local governments having jurisdiction over the Company or the Services provided within this tariff; national emergencies; civil disorder, insurrections, riots, wars, strikes, lockouts, work stoppages, or other labor problems or regulations established or actions taken by any court or government agency having jurisdiction over the Company.
- 2.6.6. The Company shall be indemnified and held harmless by the Customer and Authorized User from and against all loss, liability, damage, and expense, including reasonable attorney's fees and court costs, due to claims for libel, slander, or infringement of copyright or trademark in connection with any material transmitted by any person using the Company's Service(s) and any other claim resulting from any act or omission of the Customer or Authorized User relating to the use of the Company's facilities and Service(s).
- 2.6.7. The Company shall not be responsible for the installation, operation or maintenance of any Customer-provided communications equipment.
- 2.6.8. Where Customer-provided equipment is connected to service furnished pursuant to this tariff, the responsibility of the Company shall be limited to the maintenance and operation of such services in the proper manner; subject to this responsibility, the Company shall not be responsible for the through transmission of signals generated by Customer-provided equipment or for the quality of, or defects in, such transmission; or the reception of signals by Customer-provided equipment; or network control signaling where such signaling is performed by Customer-provided network control signaling equipment.
- 2.6.9. Under no circumstances whatsoever shall the Company or its officers, directors, agents, or employees be liable for any indirect, incidental, special, or consequential damages.
- 2.7. **Assignment**
- 2.7.1. Customer shall not assign or transfer the use of the Company's Services except with the prior written consent of the Company.

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**SECTION 2 - RULES AND REGULATIONS (Continued)**

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**2.8. Responsibilities of the Customer**

- 2.8.1. The Customer is responsible for placing any necessary orders, and for complying with tariff Regulations, and for ensuring that Authorized users comply with tariff regulations. The Customer is also responsible for the payment of charges for calls originated at the Customer's premises. This includes payment for LDMTS calls or services originated at the Customer's number(s); accepted at the Customer's number(s) (i.e., collect calls); billed to the Customer's number via Third Number Billing if the Customer is found to be responsible for such call or service, the use of a Calling Card, the use of a Company assigned Special Billing Number and incurred at the specific request of the Customer.
- 2.8.2. The Customer is responsible for charges incurred for special construction and/or special facilities that the Customer requests and which are ordered by the Company on the Customer's behalf.
- 2.8.3. If required for the provision of the Company's Services, the Customer must provide any equipment space, supporting structure, conduit, and electrical power without charge to the Company.
- 2.8.4. The Customer is responsible for arranging access to its premises at times mutually acceptable to the Customer and the Company when required for the Company personnel to install, repair, maintain, program, inspect, or remove equipment associated with the provision of the Company's Service(s). Occasionally customer requested changes and testing for impairment may only be evident at certain times (i.e. a certain hour of the day) . In such cases, LDMTS must be made available for testing during the same time periods if the trouble condition is to be corrected.
- 2.8.5. The Customer shall ensure that its terminal equipment and system is properly interfaced with the Company's facilities and Services, that the signals and voltages emitted into the Company's facilities are of the proper mode, bandwidth, power, and signal level of the intended use of the Customer and in compliance with the criteria set forth in the rules of the FCC, and that the signals do not damage equipment, injure personnel or degrade Service to other Customers.
- 2.8.6. Interconnection between the Customer's equipment and Company-provided service must be made by the Customer by leased channel or dial-up service. Where interconnection between Customer's equipment and Company-provided service is not made by lease of Company facilities, interconnection must be made by the Customer at the Company's operating offices. Any special interface equipment necessary to achieve the compatibility between facilities of the Company and the channels or facilities of others shall be provided at the Customer's expense.

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**SECTION 2 - RULES AND REGULATIONS (Continued)**

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**2.8. Responsibilities of the Customer (Continued)**

- 2.8.7. If the protective requirements in connection with Customer-provided equipment are not being complied with, the Company may take such immediate action as necessary to protect its facilities and personnel and will promptly notify the Customer of the need for protective action. In the event that the Customer fails to advise the Company within 10 days after such notice is received that corrective action has been taken, the Company may take whatever additional action is deemed necessary, including the suspension of service, to protect its facilities and personnel from harm.
- 2.8.8. The Customer is liable to the Company for replacement and repair of damage to the equipment and facilities of the Company caused by negligence and willful act of the Customer, its Authorized Users, and others, and for improper use of equipment provided by the Customer, its Authorized Users, and others.
- 2.8.9. The Customer is liable for any loss of Company equipment installed at the Customer's premises caused by: theft, fire, flooding, or any other casualty or criminal act.

**2.9. Responsibilities of Authorized Users**

- 2.9.1. The Authorized User is responsible for compliance with applicable regulations set forth in this tariff.
- 2.9.2. The Authorized User is responsible for establishing its identity as often as necessary during the course of a call.
- 2.9.3. The Authorized User is responsible for identifying the station, party, or person with whom communication is desired and/or made at the called number.
- 2.9.4. The Authorized User is responsible for providing the Company with a valid method of billing for each call. The Company reserves the right to validate the credit worthiness of Users through available Credit Card, Called Number, Third Party telephone number and Room Number verification procedures. Where a requested billing method cannot be validated, the User may be required to provide an acceptable alternate billing method or the Company may refuse to place the call.

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**SECTION 2 - RULES AND REGULATIONS (Continued)**

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**2.10 Termination or Interruption of Services**

- 2.10.1. Without incurring liability, the Company may by 24 hours advance notice discontinue or withhold Service(s) under the following conditions:
- (i) For past due balances or when usage has exceeded the credit limit established by the Company;
  - (ii) For violation of the terms or conditions governing the furnishing of services under this tariff;
  - (iii) For violation of any law, rule, regulation, or policy of any governing authority having jurisdiction over the Company's Service(s); or
  - (iv) By reason of any order or decision of a court having competent jurisdiction, public utility commission, federal regulatory body or other governing authority prohibiting the Company from furnishing its Service(s).
- 2.10.2. Without incurring liability, the Company may temporarily interrupt the provision of Service(s) at any time in order to perform test(s) and inspection(s) to assure compliance with tariff regulations and the proper installation and operation of Customer and the Company's equipment and facilities.
- 2.10.3. In the event that the Company incurs attorneys fees or other costs to recover any sums then due and the Company prevails, the Company shall be entitled to recover its costs of collection, legal costs, court costs, and reasonable attorneys' fees, in addition to whatever other relief the court may award. The Company may assign or sell receivable to Local Exchange Carriers, collection agencies or other parties and the amounts owed to the Company shall then become due and payable to that third party.
- 2.10.4. Service(s) may be discontinued by the Company, without notice to the Customer, by blocking traffic to and from certain countries, cities, NXX's, or by blocking calls using certain Customer Authorization Codes or Calling Card Account Numbers when the Company deems it necessary to take such action to prevent fraud or other unlawful use of its Service(s). The Company may restore Service(s) as soon as it can be provided without undue risk.
- 2.10.5. If, for any reason, Service(s) is interrupted, the Customer will only be charged for the Service(s) that was actually used.

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**SECTION 2 - RULES AND REGULATIONS (Continued)**

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**2.11 Restoration of Service**

The use and restoration of service shall be in accordance with the priority system specified in the Rules and Regulations of the Federal Communications Commission.

**2.12. Payment for Service**

The Customer is responsible for payment of all charges for facilities and Service(s) furnished by the Company, including charges for Service(s) originated or charges accepted at the Customer's service point.

- 2.12.1. Charges for Third Party calls will be included on the Billed Party's local exchange telephone company bill pursuant to billing and collection agreements established by the Company or its intermediary with the applicable telephone company.
- 2.12.2. Charges for Credit Card Calls will be included on the Billed Party's regular monthly statement from the card-issuing company.
- 2.12.3. The Customer will be billed for and is liable for payment of all applicable federal, state and local use, assessments, surcharges, sales and/or privilege taxes and/or similar liabilities chargeable to or against the Company as a result of the provision of the Company's Service(s), in addition to the rates indicated in this tariff. Taxes or surcharges may be passed through to customers of a taxing jurisdiction on a prorated basis such that the total of all such charges aggregated among all customers in the taxing jurisdiction shall approximately equal the total amount of tax due in that jurisdiction.
- All state and local taxes are listed as separate line items and are not included in the quoted rates.
- 2.12.4. The Customer shall remit payment of all charges to the Company or to any agency authorized by the Company to receive such payment. Any disputed amounts or claims against an invoice must be made in writing within thirty (30) days from the date of invoice. Undisputed amounts may not be withheld.
- 2.12.5. If the bill is not paid within twenty calendar days following the mailing of the bill, the account will be considered past due. In the event that on-line billing is provided, the bill becomes past due 30 days after the transmission of the bill.
- 2.12.6. Bills are due and payable upon receipt. Interest at the rate of one and one-half (1.5 %) percent per month shall accrue upon any unpaid amount commencing thirty (30) days after the date of the bill.
- 2.12.7. A delinquent account may subject the Customer's Service(s) to temporary disconnection.

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**SECTION 2 - RULES AND REGULATIONS (Continued)**

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**2.12. Payment for Service (Continued)**

- 2.12.8. Failure to receive a bill will not exempt a Customer from prompt payment of any sum(s) due the Company.
- 2.12.9. Charges for recurring fees shall be billed one (1) month in advance. Usage charges shall be billed one (1) month in arrears.

**2.13. Deposits and Advance Payments**

- 2.13.1 The company may require a deposit or advance payment from the customer.

**2.14. Billing Entity Conditions**

All charges due by subscriber are payable to any billing agency duly authorized to receive such payment. In case of any disputed charges that cannot be resolved by the billing agency, the Billed Party may contact the Company directly.

**2.15. Discontinuation of Service(s)**

The Customer's Service(s) shall automatically terminate upon discontinuation of the Customer's subscription to the Company's Service(s).

**2.16. Right to Backbill for Improper Use of the Company's Services**

Any person or entity which uses, appropriates or secures the use of Service(s) from the Company, whether directly or indirectly, in any unlawful manner or through the providing of any misleading or false information to the Company shall be liable for an amount equal to the accrued and unpaid charges that would have been applicable to the use of the Company's Service(s) actually made by Customer.

**2.17. Employee Concessions**

The Company does not provide for Employee Concessions.

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**SECTION 2 - RULES AND REGULATIONS (Continued)**

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**2.18. Discounts for Hearing Impaired Customers**

Intrastate toll message rates for TDD users, which is communicated using a telecommunications device for the deaf (TDD) by properly certified business establishments or individuals equipped with TDDs for communication with hearing or speech impaired persons, shall be evening rates for daytime calls and night rates for evening and night calls.

**2.19. Directory Assistance Charges for Handicapped Persons**

Pursuant to Florida Public Service Commission Rules and Regulations, the Company will not charge for the first fifty (50) directory assistance calls made each month by a handicapped person.

**2.20. Operation of Telecommunications Relay Service**

Intrastate toll calls received from the relay service, each local exchange and interexchange telecommunications company billing relay call will be discounted by 50 percent of the applicable rate for a voice non-relay call except that where either the calling or the called party indicates that either party is both hearing and visually impaired, the call will be discounted 60 percent off the applicable rate for voice non-relay call. The above discounts apply only to per call charges such as a credit surcharge.

**2.21. Return Check Charge**

If the Customer pays with a check which is returned from the bank due to insufficient or uncollected funds, closed account, apparent tampering, missing signature or endorsement, or any other reason, the company will charge \$20.00 or five percent (5%) of the amount due, whichever is greater. The charge will be applied to the Customer's monthly billing in addition to any other charges which may apply under this tariff. Payment rendered by check, subsequently dishonored, shall not constitute payment until the customer makes a valid repayment.

**2.22. Customer Requirements for Specific Services**

At this time, the Company does not have customer requirements for specific services. This section is reserved for future use.

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**SECTION 3 - DESCRIPTION OF SERVICES**

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**3.1. Service Offerings**

The information in this section applies to all types of services offered pursuant to this tariff unless otherwise noted. Florida Intrastate Long Distance Service is offered on a per call basis to Customers originating calls within the State of Florida. Such service is available twenty-four (24) hours per day seven (7) days per week.

**3.1.1. Tele Tower's Prepaid Phone Card I**

Flat rated disposable prepaid long distance card. Card is printed at the expense of the Company. There is a connection charge associated with each call.

**3.1.2. Tele Tower's Prepaid Phone Card II**

Flat rated disposable prepaid long distance card. Card is printed at the expense of the Customer. There is a connection charge associated with each call.

**3.1.3. Tele Tower's Prepaid Phone Card III**

Flat rated disposable prepaid long distance card. Card is printed at the expense of the Company. There is no connection charge associated with each call.

**3.2. Billing Periods**

Residential Florida intrastate calls generally have a one minute minimum charge with additional time billed in one minute increments with full minute rounding unless otherwise stated within the tariff. Commercial Florida intrastate calls generally have a 30 second minimum charge with additional time billed in 6 second increments unless otherwise stated within the tariff. (See section 4 for the specific minimums and increments for each service.) Timing on completed calls begins when the called party answers. Timing terminates when either party hangs up.

**3.3. Timing of Calls**

The customer's long distance usage charge is based on the actual usage of the Company's network. Usage begins when the called party picks up the receiver. When the called party picks up is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or by software utilizing audio tone detection. A call is terminated when either party hangs up.

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)**

**3.4. Minimum Call Completion Rate**

The customer can expect a call completion rate (number of calls completed / number of calls attempted) of not less than 99% during peak use periods for all FGD services.

**3.5. Uncompleted Calls**

There shall be no charge for uncompleted calls.

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**SECTION 4 - RATES AND CHARGES**

This section sets forth the rates and charges applicable to the Company's services. All rates and charges are expressed in US dollars. Calls which overlap rate periods will be charged according to the rates applicable to the time recorded in each period.

**4.1. Tele Tower's Prepaid Phone Card I**

		<u>1st min</u>	<u>Add'l min</u>
Per Minute:	Day:	\$.1700	\$.1700
	Evening:	\$.1700	\$.1700
	Night/Weekend	\$.1700	\$.1700
Per call connections charge			\$.1700

Billing time is based on 60 second increments with a 60 second minimum

**4.2. Tele Tower's Prepaid Phone Card II**

		<u>1st min</u>	<u>Add'l min</u>
Per Minute:	Day:	\$.2100	\$.2100
	Evening:	\$.2100	\$.2100
	Night/Weekend	\$.2100	\$.2100
Per call connections charge			\$.2100

Billing time is based on 60 second increments with a 60 second minimum

**4.3. Tele Tower's Prepaid Phone Card III**

		<u>1st min</u>	<u>Add'l min</u>
Per Minute:	Day:	\$.2000	\$.2000
	Evening:	\$.2000	\$.2000
	Night/Weekend	\$.2000	\$.2000

Billing time is based on 60 second increments with a 60 second minimum

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**SECTION 4 - RATES AND CHARGES (Cont'd)**

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**4.4. Long Distance Directory Assistance**

Per Inquiry - \$0.95. There will be no charge for the first fifty (50) directory assistance calls made per billing cycle from lines or trunks serving individuals with disabilities.

**4.5. Special Promotions and Discounts**

From time to time, the Company may offer special limited-duration promotions waiving charges. The promotion may include (but is not limited to) waiver of: recurring monthly charges, verified account code charges, and installation charges. Such promotions are designed to attract new subscribers or to increase subscriber awareness of a particular service.

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DATE  
OCT 24 1997

MEMBER  
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October 22, 1997

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MEMBER  
ACT

Florida Public Service Commission  
Division of Record and Reporting  
2540 Shumard Oak Blvd.  
Easley Building  
Tallahassee, Florida 32399-0850

MEMBER  
tra

RE: Application for Certificate of Authority for Tele Tower Inc. to resell  
Interexchange Telecommunications Services in the State of Florida

Dear Florida Public Service Commission:

Tele Tower Inc. hereby submits the enclosed Application, seeking authority to  
operate as a reseller of interexchange telecommunications services within the State of  
Florida.

Professional  
Certification  
Services

An original and twelve (12) copies of the application, and all other supporting  
documents are provided. A check in the amount of \$250.00 to cover the application  
fee is enclosed as well.

Please date-stamp the attached copy of this letter and return it in the enclosed postage-  
paid return envelope to the undersigned.

Should there be any question or additional information required, please do not  
hesitate to contact me at the indicated phone number. Thank you.

Sincerely,

97 OCT 24 11:20

TELE TOWER INC.  
84-12 37TH AVENUE  
JACKSON HEIGHTS, NY 11372

1509

1-482/710  
BRANCH 11

10/20 1997

Pay to the  
Order of FLORIDA STATE PUC

\$ 250. <sup>XX</sup>/<sub>XX</sub>

Two Hundred Fifty

Dollars

REPUBLIC NATIONAL BANK OF NEW YORK  
87 37TH AVENUE  
JACKSON HEIGHTS, NY 11372-6832  
BRANCH 11

For filing fees

Arthur R. Pateo