



DEPOSIT                      DATE  
D7914                      JUN 24 1998

June 23, 1997

**Overnight**

210 N Park Ave.  
Winter Park, FL  
32789

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

Mr. Walter D'Haeseleer, Director Communications  
Florida Public Service Commission  
Division of Communication  
2540 Shumard Oak Boulevard  
Gerald L. Gunter Building, Room 270  
Tallahassee, FL 32399-0850

980786-TX

Tel: 407-740-8575  
Fax: 407-740-0613  
tm@tminc.com

RE: Initial Alternative Local Exchange Carrier Application of  
**Z-Tel Communications, Inc. d/b/a Z-Tel Communications of Delaware, Inc.**

Dear Mr. D'Haeseleer:

Enclosed is a check for \$250.00 to cover the filing fee for the ALEC application of Z-Tel Communications, Inc. d/b/a Z-Tel Communications of Delaware, Inc. This check was omitted from the filing made on June 12, 1998.

Questions pertaining to this application or tariff should be directed to my attention at (407) 740-8575.

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

Thank you for your assistance.

Sincerely,

Monique Byrnes  
Consultant to  
Z-Tel Communications, Inc.

MB/sp

cc: R. Curtis, Z-Tel  
P. Batacan, Kelley Drye  
file: Z-Tel - FL ALEC  
tms: fl19800a

98 JUN 24 AM 10:45  
MAIL ROOM  
COMMUNICATIONS  
ALEC

DOCUMENT NUMBER DATE  
06687 JUN 24 98  
FBI/REC'DS/REPORTING



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

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

June 11, 1997

**Overnight**

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

**RECEIVED**

JUN 12 1997

CMU

980786-TX

RECEIVED  
JUN 12 11:59 AM '97  
MAIL ROOM

RE: Initial Alternative Local Exchange Carrier Application of  
**Z-Tel Communications, Inc. d/b/a Z-Tel Communications of Delaware, Inc.**

Dear Mr. D'Haeseleer:

Enclosed for filing are the original and twelve copies of the above referenced application of Z-Tel Communications, Inc. d/b/a Z-Tel Communications of Delaware, Inc. to provide Alternative Local Exchange Carrier Service in Florida.

The company has filed for interexchange authority under a separate application and submitted the \$250 filing fee at that time. Questions pertaining to this application or tariff should be directed to my attention at (407) 740-8575.

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

Thank you for your assistance.

Sincerely,

Monique Byrnes  
Consultant to  
Z-Tel Communications, Inc.

cc: R. Curtis, Z-Tel  
P. Batacan, Kelley Drye  
file: Z-Tel - FL ALEC  
tms: 0198000

DOCUMENT NUMBER-DATE

06687 JUN 24 97

FPSC - RECORDS/REPORTING

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

---

**APPLICATION FORM**

for

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

---

**INSTRUCTIONS**

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

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

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

( X ) Original authority (new company)

( ) Approval of transfer (to another certificated company)

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

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

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

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

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

**2. Name of applicant:**

Z-Tel Communications, Inc.

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

Street: 777 south Harbour Island Boulevard, Suite 990  
PO Box  
City: Tampa  
State: Florida  
Zip 33602  
Phone: 813 - 273-6261

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

Street: 777 South Harbour Island Boulevard, Suite 990  
PO Box  
City: Tampa  
State: Florida  
Zip 33602  
Phone: 813 -273-6261

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

Street: 777 South Harbour Island Boulevard, Suite 990  
 PO Box  
 City: Tampa  
 State: Florida  
 Zip: 33602  
 Phone: 813 - 273-6261

**4. Structure of organization:**

- |   |  |
|---|--|
| <input type="checkbox"/> Individual                     | <input type="checkbox"/> Corporation                 |
| <input checked="" type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership         |
| <input type="checkbox"/> General Partnership            | <input type="checkbox"/> Limited Partnership         |
| <input type="checkbox"/> Joint Venture                  | <input type="checkbox"/> Other, Please explain _____ |

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

Corporate charter number: 97000002080

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

Z-Tel Communications of Delaware, Inc.

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

Not applicable

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

Not applicable

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

Not applicable.

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

Application contact:

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

Ongoing Liaison:

Name: D. Gregory Smith  
 Title: Chief Executive Officer  
 P.O. Box:  
 Street: 777 South Harbour Island Boulevard, Suite 990  
 PO Box  
 City: Tampa  
 State: Florida  
 Zip: 33602  
 Phone: 813 - 273-6261  
 Fax: 813 - 273-6861  
 Internet Address:

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

The company has authority to offer local exchange service in New York, New Jersey and Massachusetts. The company has not yet begun to offer local exchange service. The company has embarked on a program to obtain authority for local exchange service in an additional 23 states.

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

Yes( ) No( X )

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

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

Yes( X ) No( )

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

Z-Tel Communications, Inc. has not had any penalties imposed against it in Florida or any other state. However, D. Gregory Smith (Chief Executive Officer of Z-Tel Communicaitons, Inc) was a principal of another telecommunications company certified in the state of Florida that was assessed a penalty for failure to file an annual report. The company, Olympus Telecommunications was a pay telephone company that is no longer operating. All

penalties have been paid for and filed with the Florida Public Service Commission. There are no outstanding issues with that company.

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

Customers may call the company at its toll-free customer service number: 1-800-759-9987. In addition, customers may contact the company in writing at 777 South Harbour Island Boulevard, Suite 990, Tampa, Florida 33602.

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

**A. Financial capability**

Regarding the showing of financial capability, the following applies:

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

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

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

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

See Exhibit I

**B. Managerial capability**

See Exhibit II

**C. Technical capability**

See Exhibit III

## AFFIDAVIT

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

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

**Official:**

  
signature

**Date:**

5-20-98

D. Gregory Smith

**Title:**

Chief Executive Officer

**Address:**

777 South Harbour Island Boulevard  
Suite 990

Tampa, Florida 33602

**Phone:**

(813) 254-8224



**Z-Tel Communications, Inc.**  
**d/b/a Z-Tel Communicaitons of Delaware, Inc.**

**EXHIBIT I**

**FINANCIAL CAPABILITY**

**CERTIFICATION STATEMENT**

I, D. Gregory Smith, Chief Executive Officer of Z-Tel Communications, Inc., d/b/a Z-Tel Communications of Delaware, Inc., certify that the financial statements presented herein for the year ended December 31, 1996 are, to the best of my knowledge, accurate and correct.

Executed on this 20<sup>th</sup> day of MAY, 1998 at TAMPA, Florida.

By:   
D. Gregory Smith, Chief Executive Officer  
Z-Tel Communications, Inc.  
d/b/a Z-Tel Communications of Delaware, Inc.

SWORN TO AND SUBSCRIBED before me on this 20<sup>th</sup> day of  
May, 1998.

  
Notary Public

My commission expires:  
05/04/99



WILLIAM P. ALBERTS  
My Comm Exp: 05/04/99  
Bonded By Service Ins  
No. CC632233  
(Personally Known || Other I.D.)

Z-Tel Communications, Inc.  
d/b/a Z-Tel Communications of Delaware, Inc.

**EXHIBIT I**

**FINANCIAL INFORMATION**

## Z-Tel Communications, Inc.

### Statement of Financial Capability

Z-Tel Communications, Inc. has sufficient financial capability to provide the requested telecommunication services in [State], the financial capability to maintain these services, and the financial capability to meet its lease and ownership obligations. Attached is the balance sheet of Z-Tel Communications, Inc. as of March 31, 1998.

Z-Tel Communications, Inc. has been in the development phase since its inception in January 1998 and therefore does not have an income statement.

Some of Z-Tel Communications, Inc.'s highlights are:

- \* Current asset ratio of 5.79. %
- \* Cash & cash equivalents of \$1,347,757 along with a \$50,000 deposit classified as Other Assets.
- \* Approximately 78% of the Company's assets are very liquid.
- \* Property, plant & equipment balance of \$383,193 which consists of the Company's investment in infrastructure to commence operations.
- \* Positive equity balance of \$1,547,985.

The balance sheet displays in excess of \$1.3 million in cash & cash equivalents as of March 31, 1998. The Company does not have any long term debt as the Company is 100% financed through equity ... a capital infusion by the shareholders. The Company has access to additional sources of cash via lines of credits and additional capital infusions by the shareholders.

The Company has established a team of professionals with telecommunications experience to support its venture into the telecommunications market. The Company will outsource business functions to obtain expertise and provide a financial and technical competitive advantage in the industry.

#### Summary

As noted in the analysis documented above, the Company is prepared for its venture into the telecommunications business. The Company is positioned to add significant revenue growth with low fixed costs. The Company has sufficient financial capability to provide the requested telecommunication services, sufficient financial capability to meet all lease and ownership obligations, and sufficient financial capability to maintain a large Customer base.

**Z-Tel Communications, Inc.**  
**Balance Sheet**  
**March 31, 1998**

**ASSETS****Current Assets**

Cash - Operating Account	\$ 169,124
Cash - Money Market	1,178,633
<b>Total Current Assets</b>	<b>1,347,757</b>

**Property and Equipment**

Furniture	31,438
Computer Equipment - General	102,353
Software	85,398
Switching Equipment	164,005
Accumulated Depreciation	
<b>Total Property and Equipment</b>	<b>383,193</b>

**Other Assets**

Deposits	50,000
<b>Total Other Assets</b>	<b>50,000</b>
<b>Total Assets</b>	<b>\$ 1,780,951</b>

**LIABILITIES AND CAPITAL****Current Liabilities**

Accounts Payable	\$ 232,966
Interest Payable	
<b>Total Current Liabilities</b>	<b>232,966</b>

**Long-Term Liabilities**

<b>Total Long-Term Liabilities</b>	<b>0</b>
------------------------------------	----------

<b>Total Liabilities</b>	<b>232,966</b>
--------------------------	----------------

**Capital**

Common Stock	1,850,000
Net Income	(302,015)
<b>Total Capital</b>	<b>1,547,985</b>
<b>Total Liabilities &amp; Capital</b>	<b>\$ 1,780,951</b>

Unaudited - For Management Purpose Only

Z-Tel Communications, Inc.  
d/b/a Z-Tel Communications of Delaware, Inc.

**EXHIBIT II**

**MANAGERIAL CAPABILITY**

**Z-Tel Communications, Inc.**

**MANAGERIAL AND TECHNICAL CAPABILITIES**

**D. Gregory Smith**

Mr. Smith is a founder of the Company and has served as a Director and Chief Executive Officer since its inception in January 1998. From 1991 to 1997 he served as Director, Executive Vice President and Vice President of Premiere Technologies, Inc., a publicly held telecommunications company. From 1989 to 1991, Mr. Smith provided managerial and financial consulting services to clients that included Elcotel, Inc., a manufacturer of pay telephones, call processor and other telecommunications equipment.. Since 1991 he has been President and Director of Olympus Telecommunications Corporation, an owner and operator of pay telephones and since 1990 he has been President and a director of Public Communications Managers, Inc., a pay telephone management company. Additionally, Mr. Smith has served as Vice-President of corporate banking for Chase Bank of Florida, a subsidiary of Chase Manhattan Bank and President and CEO of Intergroup Video Systems, Inc., an advanced video electronics manufacturer.

**Jeffrey A. Bowden**

Mr. Bowden, a founder of the Company, serves as Senior Vice President/Chief Financial Officer of the Company. He was a Vice President of Bell Atlantic Corporation from 1996 to 1998 and Vice President of Nynex Corporation from 1994 to 1996. From 1988 to 1994, Mr. Bowden was Vice President and a Director of The Boston Consulting Group.

**Z-Tel Communications, Inc.**

**MANAGERIAL AND TECHNICAL CAPABILITIES, Cont'd.**

**James Kitchen**

Mr. Kitchen is a co-founder of the Company and serves as the Company's Senior Vice President/Engineering. Prior to joining Z-Tel, he was, from 1992 to 1997, a Senior Design Engineer with Premiere Technologies, Inc., a provider of long distance telecommunications services. From 1990 to 1992, he was Senior Staff Engineer for Melita International Corporation where he managed the Voice Processor Group. Additionally, Mr. Kitchen was a Senior Software Engineer for Voice Computer Technologies, where he designed, coded, maintained and documented application software, including a proprietary telephone transaction oriented interpreter.

**Russell T. Alba**

A co-founder of the Company, Mr. Alba serves as Senior Vice President/Business Development and Chief Legal Officer. He was a partner in the law firm of Foley & Lardner from 1994 to 1998 and an associate in the law firm of Annis, Mitchell, Cockey, Edwards & Roehn from 1992 to 1994.



**Z-Tel Communications, Inc.**

**d/b/a Z-Tel Communications of Delaware, Inc.**

**EXHIBIT III**

**TECHNICAL CAPABILITY**

## TECHNICAL CAPABILITY

The company intends to provide local services as a reseller of other carriers' facilities. Z-Tel does propose to instal several switches throughout the state of Florida. Current plans call for switch deployment in Orlando, Tampa and the Miami metropolitan area.

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



DEPOSIT

DATE

D 7 9 1 4

JUN 24 1998

June 23, 1997

**Overnight**

210 N. Park Ave.  
Winter Park, FL  
32789

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Winter Park, FL  
32790-0200

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tmi@tminc.com

Mr. Walter D'Haeseleer, Director Communications  
Florida Public Service Commission  
Division of Communication  
2540 Shumard Oak Boulevard  
Gerald L. Gunter Building, Room 270  
Tallahassee, FL 32399-0850

RE: Initial Alternative Local Exchange Carrier Application of  
**Z-Tel Communications, Inc. d/b/a Z-Tel Communications of Delaware, Inc.**

Dear Mr. D'Haeseleer:

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Questions pertaining to this application or tariff should be directed to my attention at (407) 740-8575.

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

Thank you for your assistance.

Sincerely,

**TECHNOLOGIES MANAGEMENT, INC.**

P.O. BOX 200  
210 N. PARK AVE.  
WINTER PARK, FL 32789-0200  
(407) 740-8575

BARNETT BANK, N.A.  
WINTER PARK, FL 32789

20054

6/23/98

PAY TO THE ORDER OF Florida Public Service Commission

\$ \*\*250.00

Two Hundred Fifty and 00/100\*\*\*\*\*

Florida Public Service Commission  
Records & Reporting  
2540 Shumard Oaks Blvd.  
Tallahassee, FL 32302-1500

DOLLARS  
Security Features  
Included  
Details on back

TECHNOLOGIES MANAGEMENT, INC.

*C. M. Wightman*

MEMO florida Public Service Commission