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*National Phone Corporation*

3379 Sheffield Circle  
Sarasota, Florida 34239  
(941) 924-5306 Fax (941) 924-5537

November 24, 1998

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

Re: IXC Application – National Phone Corporation

981749-TI

Dear Ms. Bayo:

Enclosed are the original and six copies of the IXC application and tariff of National Phone Corporation. Also enclosed is the company's check in the amount of \$250.00 to cover the filing fee.

Thank you for your attention to this matter,

Sincerely,



Thomas M. Beard  
President

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COMMUNICATIONS

DOCUMENT NUMBER-DATE

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FP&C-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**

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:

**National Phone Corporation**

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

**National Phone 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):

**3379 Sheffield Circle, Sarasota, Florida 34237**

7. Structure of organization;

- |  |   |
|--|---|
| <input type="checkbox"/> Individual          | <input checked="" type="checkbox"/> Corporation |
| <input 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.

**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: **P98000098147**

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

**Thomas M. Beard  
3379 Sheffield Circle  
Sarasota, Florida 34239**

- (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.

**Utilicore Corporation, Officer and Director, Resigned to open own company.**

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** (941) 924-5306  
**3379 Sheffield Circle**  
**Sarasota, Florida 34239**

(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;

**Same as above**

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.
- 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**

  X Available to presubscribed customers

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

   Available to inmates

**Services included are:**

  X Station assistance

  X Person to Person assistance

  X Directory assistance

  X 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).

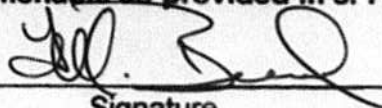
00

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

President

11-24-98

Date

(941) 924-5306

**\*\* 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-mention 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):

(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

President

11-27-98

Date

(941) 924-5306



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

**INTRASTATE NETWORK**

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

- 1)
- 2)
- 3)
- 4)

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

- 1)
- 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)
- 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).
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).
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

President

11-24-98

Date

(941)924-5306

**\*\* APPENDIX D \*\***

**FLORIDA TELEPHONE EXCHANGES**

**AND**

**EAS ROUTES**

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

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

**\*\* FLORIDA EAS FOR MAJOR EXCHANGES \*\***

<u>Extended Service Area</u>	<u>with</u>	<u>These Exchanges</u>
PENSACOLA:		Cantonment, Gulf Breeze Pace, Milton Holley-Navarre.
PANAMA CITY:		Lynn Haven, Panama City Beach, Youngstown-Fountain and Tyndall AFB.
TALLAHASSEE:		Crawfordville, Havana, Monticello, Panacea, Sopchoppy and St. Marks.
JACKSONVILLE:		Baldwin, Ft. George, Jacksonville Beach, Callahan, Maxville, Middleburg Orange Park, Ponte Vedra and Julington.
GAINESVILLE:		Alachua, Archer, Brooker, Hawthorne, High Springs, Melrose, Micanopy, Newberry and Waldo.

OCALA: Belleview, Citra, Dunnellon, Forest Lady Lake (B21), McIntosh, Oklawaha, Orange Springs, Salt Springs and Silver Springs Shores.

DAYTONA BEACH: New Smyrna Beach.

TAMPA: Central None  
East Plant City  
North Zephyrhills  
South Palmetto  
West Clearwater

CLEARWATER: St. Petersburg, Tampa-West and Tarpon Springs.

ST. PETERSBURG: Clearwater.

LAKELAND: Bartow, Mulberry, Plant City, Polk City and Winter Haven.

ORLANDO: Apopka, East Orange, Lake Buena Vista, Oviedo, Windermere, Winter Garden, Winter Park, Montverde, Reedy Creek, and Oviedo-Winter Springs.

WINTER PARK: Apopka, East Orange, Lake Buena Vista, Orlando, Oviedo, Sanford, Windermere, Winter Garden, Oviedo-Winter Springs, Reedy Creek, Geneva and Montverde.

TITUSVILLE: Cocoa and Cocoa Beach.

COCOA: Cocoa Beach, Eau Gallie, Melbourne and Titusville.

MELBOURNE: Cocoa, Cocoa Beach, Eau Gallie and Sebastian.

SARASOTA: Bradenton, Myakka and Venice.

**FT. MYERS:** Cape Coral, Ft. Myers Beach, North Cape Coral, North Ft. Myers, Pine Island, Lehigh Acres and Sanibel-Captiva Islands.

**NAPLES:** Marco Island and North Naples.

**WEST PALM BEACH:** Boynton Beach and Jupiter.

**POMPANO BEACH:** BocaRaton, CoralSprings, DeerfieldBeach and Ft. Lauderdale.

**FT. LAUDERDALE:** Coral Springs, Deerfield Beach, Hollywood and Pompano Beach.

**HOLLYWOOD:** Ft. Lauderdale and North Dade.

**NORTH DADE:** Hollywood, Miami and Perrine.

**MIAMI:** Homestead, North Dade and Perrine

**\*\* APPENDIX E \*\***

**\*\* GLOSSARY \*\***

**ACCESS CODE:** The term denotes a uniform four or seven digit code assigned to an individual IXC. The five digit code has the form 10XXX and the seven digit code has the form 950-XXXX.

**BYPASS:** Transmission facilities that go direct from the local exchange end user to an IXC point of presence, thus bypassing the local exchange company.

**CARRIERS CARRIER:** An IXC that provides telecommunications service, mainly bulk transmission service, to other IXC only.

**CENTRAL OFFICE:** A local operating unit by means of which connections are established between subscribers' lines and trunk or toll lines to other central offices within the same exchange or other exchanges. Each three (3) digit central office code (NXX) used shall be considered a separate central office unit.

**CENTRAL OFFICE CODE:** The term denotes the first three digits (NXX) of the seven (7) digit telephone number assigned to a customer's telephone exchange service.

**COMMISSION:** The Florida Public Service Commission.

**COMPANY, TELEPHONE COMPANY, UTILITY:** These terms may be used interchangeably herein and shall mean any person, firm, partnership or corporation engaged in the business of furnishing communication service to the public under the jurisdiction of the Commission.

**DEDICATED FACILITY:** The term denotes a transmission circuit which is permanently for the exclusive use of a customer or a pair of customers.

**END USER:** The term denotes any individual, partnership, association, corporation, governmental agency or any other entity which (A) obtains a common line, uses a pay telephone or obtains interstate service arrangements in the operating territory of the company or (B) subscribes to interstate services provided by an IXC or uses the services of the IXC when the IXC provides interstate service for its own use.

**EQUAL ACCESS EXCHANGE AREAS:** EAEA means a geographic area, configured based on 1987 planned toll center/access tandem areas, in which local exchange companies are responsible for providing equal access to both carriers and customers of carriers in the most economically efficient manner.

**EXCHANGE:** The entire telephone plant and facilities used in providing telephone service to subscribers located in an exchange area. An exchange may include more than one central office unit.

**EXCHANGE (SERVICE) AREA:** The territory, including the base rate suburban and rural areas served by an exchange, within which local telephone service is furnished at the exchange rates applicable within that area.

**EXTENDED AREA SERVICE:** A type of telephone service furnished under tariff provision whereby subscribers of a given exchange or area may complete calls to, and receive messages from, one or more other contiguous exchanges without toll charges, or complete calls to one or more other exchanges without toll message charges.

**FACILITIES BASED:** An IXC that has its own transmission and/or switching equipment or other elements of equipment and does not rely on others to provide this service.

**FOREIGN EXCHANGE SERVICES:** A classification of exchange service furnished under tariff provisions whereby a subscriber may be provided telephone service from an exchange other than the one from which he would normally be served.

**FEATURE GROUPS:** General categories of unbundled tariffs to stipulate related services.

**Feature Group A:** Line side connections presently serving specialized common carriers.

**Feature Group B:** Trunk side connections without equal digit or code dialing.

**Feature Group C:** Trunk side connections presently serving AT&T-C.

**Feature Group D:** Equal trunk access with subscription.

**INTEREXCHANGE COMPANY:** means any telephone company, as defined in Section 364.02(4), F.S. (excluding Payphone Providers), which provides telecommunication service between exchange areas as those areas are described in the approved

tariffs of individual local exchange companies.

**INTER-OFFICE CALL:** A telephone call originating in one central office unit or entity but terminating in another central office unit or entity both of which are in the same designated exchange area.

**INTRA-OFFICE CALL:** A telephone call originating and terminating within the same central office unit or entity.

**INTRASTATE COMMUNICATIONS:** The term denotes any communications in Florida subject to oversight by the Florida Public Service Commission as provided by the laws of the State.

**INTRA-STATE TOLL MESSAGE:** Those toll messages which originate and terminate within the same state.

**LOCAL ACCESS AND TRANSPORT AREA:** LATA means the geographic area established for the administration of communications service. It encompasses designated exchanges, which are grouped to serve common social, economic and other purposes.

**LOCAL EXCHANGE COMPANY (LEC):** Means any telephone company, as defined in Section 364.02(4), F.S., which, in addition to any other telephonic communication service, provides telecommunication service within exchange areas as those areas are described in the approved tariffs of the telephone company.

**OPTIONAL CALLING PLAN:** An optional service furnished under tariff provisions which recognizes a need of some subscribers for extended area calling without imposing the cost on the entire body of subscribers.

**900 SERVICE:** A service similar to 800 service, except this service is charged back to the customer based on first minute plus additional minute usage.

**PIN NUMBER:** A group of numbers used by a company to identify their customers.

**PAY TELEPHONE SERVICE COMPANY:** Means any telephone company, other than a Local Exchange Company, which provides pay telephone service as defined in Section 364.335(4), F.S.

**POINT OF PRESENCE (POP):** Bell-coined term which designates the actual (physical) location of an IXC's facility. Replaces some applications of the term "demarcation point."



**PRIMARY SERVICE:** Individual line service or party line service.

**RESELLER:** An IXC that does not have certain facilities but purchases telecommunications service from an IXC and then resells that service to others.

**STATION:** A telephone instrument consisting of a transmitter, receiver, and associated apparatus so connected as to permit sending and/or receiving telephone messages.

**SUBSCRIBER, CUSTOMER:** These terms may be used interchangeably herein and shall mean any person, firm, partnership, corporation, municipality, cooperative organization, or governmental agency supplied with communication service by a telephone company.

**SUBSCRIBER LINE:** The circuit or channel used to connect the subscriber station with the central office equipment.

**SWITCHING CENTER:** Location at which telephone traffic, either local or toll, is switched or connected from one circuit or line to another. A local switching center may be comprised of several central office units.

**TRUNK:** A communication channel between central office units or entities, or private branch exchanges.

**ATTACHMENTS:**

- A - CERTIFICATE TRANSFER STATEMENT
- B - CUSTOMER DEPOSITS AND ADVANCE PAYMENTS
- C - INTRASTATE NETWORK
- D - FLORIDA TELEPHONE EXCHANGES and EAS ROUTES
- E - GLOSSARY

### Management and Technical Qualifications

Thomas M. Beard - Mr. Beard is President of the Company and will direct the development of all strategic planning and staffing. Mr. Beard has over 18 years of experience in the utility industry, having served in an executive capacity in both the telecommunications and electric power industry. As a Commissioner and Chairman of the Florida Public Service Commission from 1987 to 1993, Mr. Beard expanded his expertise in telecommunications and energy related issues. As Commission Chairman, he was responsible for the management of the agency which develops the regulatory policy for the State of Florida and ensures that the private investor-owned utilities adhere to that policy. Mr. Beard's state and national experience, coupled with his background in strategic planning provide our organization with the ability to tap a diverse set of resources and strategic opportunities. During his tenure on the PSC, Mr. Beard also served in a variety of roles at the national level including chairman of the Communications Committee of the National Association of Regulatory Utility Commissioners (NARUC), as a member of the NARUC Executive Committee, as the senior member of the Federal Communications Commission's (FCC) Federal/State Joint Board on Separations which determines many of the federal-state jurisdictional issues and as the State Chairman of the Federal/State Joint Conference on Open Network Architecture (410(b)), where he investigated issues associated with the telephone industry restructuring. As a key member of these bodies, he helped to formulate and bring closure to the national policy debate on many of the telecommunications and energy related issues. A native of Tampa, Mr. Beard holds a Bachelor's degree from Florida State University and a Masters Degree from the University of Florida.

**National Phone Corporation**  
**Financial Statement**  
**November 20, 1998**

**ASSETS**

Current Assets

Cash on Hand	\$ 5,240.00
Accounts Receivable	\$30,800.00
Total Current Assets	\$35,240.00

Fixed Assets

Equipment - Corporate	\$12,434.00
Total Fixed Assets	\$12,434.00

**Total Assets** **\$47,674.00**

**LIABILITIES**

Current Liabilities

Accounts Payable	\$ 0.00
Total Current Liabilities	\$ 0.00

Long Term Liabilities

Notes Payable	\$ 0.00
Total Long Term Liabilities	\$ 0.00

**Total Liabilities** **\$ 0.00**

**EQUITY**

Current Year Earnings **\$47,674.00**

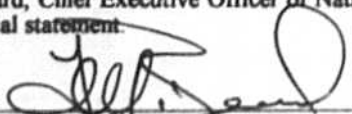
**TOTAL EQUITY** **\$47,674.00**

**TOTAL LIABILITY AND EQUITY** **\$47,674.00**

By my signature below, I, Thomas M. Beard, Chief Executive Officer of National Phone Corporation, attest to the truth and accuracy of this unaudited financial statement.

11-29-98

Date

  
Signature

## ***National Phone Corporation***

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3379 Sheffield Circle  
Sarasota, Florida 34239  
(941) 924-5306 Fax (941) 924-5537

November 24, 1998

Thomas M. Beard  
National Phone Corporation  
3379 Sheffield Circle  
Sarasota, Florida 34239

Dear Tom:

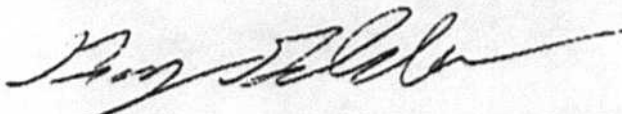
This letter is in response to our discussions with respect to previous questions which have been raised by staff at the Public Service Commission regarding other A.I.C./IXC applications for the authority to provide telecommunications services within the State of Florida.

The particular question that we are addressing is National Phone Corporation's ability to get financing to provide these services. You and I have devoted considerable effort to this project and I am convinced that our business plan is sound since it is based on our collective experience in the telecommunications field.

To ensure that we have adequate funding for our growth projections, we need to have the ability to acquire an additional \$50,000.00 as a safety net to cover our cash needs. In order to meet that need, I am prepared to loan National Phone Corporation up to \$50,000.00. I currently have over \$100,000.00 in available liquid assets.

If there are any additional questions relating to our pending application, please let me know.

Sincerely,



Gary Golden

TITLE PAGE  
FLORIDA TELECOMMUNICATIONS TARIFF  
OF  
NATIONAL PHONE CORPORATION

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

---

Issued:

Effective:

By: Thomas M. Beard, President  
National Phone Corporation  
3179 Sheffield Circle

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

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Effective:

By: Thomas M. Beard, President  
National Phone Corporation  
3179 Sheffield Circle

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SYMBOLS

The following are the only symbols used for the purposes indicated below:

D - Delete or discontinue.

I - Change resulting in an increase to a customer's bill.

M - Moved from another tariff location.

N - New

R - Change resulting in a reduction to a customer's bill.

T - Change in text or regulation.

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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.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - A transmission path that 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 - National Phone 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 inter-exchange 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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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 National Phone Corporation.

National Phone 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.

National Phone Corporation installs, operates, and maintains the communications services provided hereunder in accordance with the terms and conditions set forth under this tariff. National Phone 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 National Phone 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 National Phone 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 National Phone 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 National Phone Corporation directly controls all facilities provided under this tariff 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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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 inter-exchange carrier from the Florida Public Service Commission.

2.4 Liabilities of the Company

2.4.1 National Phone 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's)

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 National Phone Corporation may occasionally act as an agent for National Phone 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 that 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 National Phone Corporation reserves the right to collect an amount not to exceed one (1) months 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.

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.

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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 National Phone Corporation's service. When such terminal equipment is used, the equipment shall comply with the generally accepted mini-mum 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 and disconnection shall be according to Rule 25-4.113, F.A.C., and any other pertinent rules of 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 that is returned for insufficient funds, the Company will impose a charge as allowed by §832.07, F.S.

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 National Phone 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 National Phone Corporation's Long Distance Service

National Phone Corporation's Long Distance Service is offered to customers for calling within the State of Florida. Customers generally access National Phone 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.

National Phone Corporation's long distance service is provided for inter-LATA calling only. Zero minus "0-" and zero plus "0+" intra-LATA calls will be routed to the Local Exchange Company.

3.3 Minimum Call Completion Rate

A customer can expect a call completion rate (number of calls completed/number of calls attempted) of not less than 90% during peak periods for all FGD services (1+ dialing).

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SECTION 4 - RATES

4.1 National Phone Corporation's Long Distance Service Rates

4.1.1 Residential and Business \$0.15 plan.

National Phone will use the schedule below to rate eligible calls during all times of day, seven days a week, for customers choosing this plan. Eligible calls are all direct dialed calls except 700 and 900 calls.

<u>Class of Service</u>	<u>Rate Per Minute</u>	<u>Monthly Service Charge</u>
Interexchange	\$0.15	None

4.1.2 Residential \$0.099 plan.

National Phone will use the schedule below to rate eligible calls during all times of day, seven days a week, for customers choosing this plan. Eligible calls are all direct dialed calls except 700 and 900 calls.

<u>Class of Service</u>	<u>Rate Per Minute</u>	<u>Monthly Service Charge</u>
Interexchange	\$0.099	\$4.95

4.1.3 Toll Free Service (Terminating Switch Access)

<u>Class of Service</u>	<u>Rate Per Minute</u>	<u>Monthly Service Charge</u>
Interexchange	\$0.14	\$5.00

4.2 Per Call Surcharges

4.2.1 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.

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SECTION 4 - RATES (CONT'D)

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

4.2.1.A.1. Operator-Station	\$1.00*
4.2.1.A.2. Operator Person-to-Person	\$2.50
4.2.1.A.3. Directory Assistance Charge per call	\$ .75**
4.2.1.A.4. Conference Service, per called station	\$2.50
4.2.1.A.5. Busy Line Verification	\$ .95
4.2.1.A.6. Busy Line Interruption	\$1.40

4.2.1.B. Credit Card Call Surcharge - applicable to calls without operator assistance

4.2.1.B.1. Per call	\$ .80
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\* 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.

4.3 Emergency Calls

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

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SECTION 4 - RATES (CONT'D)

4.4 Promotional Offerings

From time to time National Phone may offer special promotions to its customers. These offerings may be limited to certain dates, times and locations, and will be approved by the FPSC with specific starting and ending dates. Under no circumstances will special promotions run for longer than 90 days in any 12 month period.

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SECTION 4 - RATES (CONT'D)

4.4 Promotional Offerings

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DEPOSIT DATE  
D038 NOV 30 1998

**National Phone Corporation**

3379 Sheffield Circle  
Sarasota, Florida 34239  
(941) 924-5306 Fax (941) 924-5537

November 24, 1998

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

981749-TT

Re: IXC Application - National Phone Corporation

Dear Ms. Bayo:

Enclosed are the original and six copies of the IXC application and tariff of National Phone Corporation. Also enclosed is the company's check in the amount of \$250.00 to cover the filing fee.

Thank you for your attention to this matter,

Sincerely,



Thomas M. Beard  
President

THOMAS M BEARD 07-1998  
1549 State St.  
Sarasota, FL 34236

454

63-1084/631

Date 11-29 98

Pay to the Order of FPSC \$ 250.00

Two Hundred & Fifty & 00/100

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Division, Sarasota Office  
Sarasota, FL 1-800-923-4788

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