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August 13, 1999

## VIA OVERNIGHT DELIVERY


Florida Public Service Commission  
Division of Administration, Room G-50  
101 East Gained Street  
Tallahassee, Florida 32399-0866

Re: WebNet Communications, Inc.'s Application for Authority to Provide Interexchange Telecommunications Service Within the State of Florida

Ladies and Gentlemen:

Enclosed are an original and twelve (12) copies of WebNet Communications, Inc.'s ("WebNet") Application for Authority to Provide Interexchange Telecommunications Service Within the State of Florida. WebNet is a non-facilities based reseller of 1+, toll free access, and calling card telecommunications services. Also enclosed is the filing fee of \$250.00 made payable to the Florida Public Service Commission.

An extra copy of this filing is enclosed. Please date-stamp and return the extra copy in the self-addressed, stamped envelope provided. If you have any questions regarding this application please contact me at the number listed above.

|  |  |   |               |
|--|--|---|---------------|
| <b>THE HELEIN LAW GROUP, P.C.</b><br>8180 GREENSBORO DRIVE SUITE 700<br>MCLEAN, VIRGINIA 22102 |  | TYSONS NATIONAL BANK<br>MCLEAN, VA 22102  | 4837          |
|  |  | 68-541/560 1  | 00004837      |
| PAY  | TWO HUNDRED FIFTY AND XX / 100 Dollars | DATE  | AMOUNT        |
|  |  | 08/13/99  | *****\$250.00 |
| TO THE ORDER OF  | FL Public Service Commission           |  |               |
|  |  | AUTHORIZED SIGNATURE  |               |

⑈004837⑈

**\*\* 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  
101 East Gained Street  
Tallahassee, Florida 32399-0866  
(850) 488-1280

- E. Once completed, submit the original and twelve (12) copies of this form along with a non-refundable application fee of \$250.00 to:

Florida Public Service Commission  
Division of Administration, Room G-50  
101 East Gained Street  
Tallahassee, Florida 32399-0866  
(850) 488-4733

FORM PSC/CMU 31 (4/91)  
Required by Commission Rule Nos. 25-24.471  
25-24.473 & 25-24.480(2)

DOCUMENT NUMBER-DATE

09668 AUG 16 88

PSC-RECORDS/REPORTING

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. The legal name of the applicant:  

**WebNet Communications, Inc.**
  
3. Name under which the applicant will do business:  

**WebNet Communications, Inc.**
  
4. National address (including street name & number, post office box, city, state and zip code).  

**WebNet Communications, Inc.  
3248 Prospect Avenue, N.W.  
Washington, D.C. 20007  
1-800-992-9545**
  
5. Florida address (including street name & number, post office box, city, state and zip code):  

**None**
  
6. Structure of organization;  

Individual                       Corporation  
 Foreign Corporation    Foreign Partnership  
 General Partnership    Limited Partnership  
 Other \_\_\_\_\_
  
7. 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 partnership statute (Chapter 620.169 FS), if applicable. **N/A**

(b) Provide proof of compliance with the fictitious name statute (Chapter 865.09 FS), if applicable. **N/A**
  
8. If incorporated, please give:

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

**See Exhibit 1.**

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

**Corporation Service Company  
1201 Hays Street  
Tallahassee, FL 32301**

9. If incorporated, indicate if any of the officers, directors, partners or any of the ten largest stockholders have previously been:

- (a) 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.

**None.**

- (b) 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.

**None.**

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

- (a) The application;

**Charles H. Helein, Regulatory Counsel  
Helein & Associates, P.C.  
8180 Greensboro Drive, Suite 700  
McLean, VA 22102  
(703) 714-1301  
(703) 714-1330 (fax)**

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

**M. Howard Lewis, President  
3248 Prospect Avenue, N.W.  
Washington, D.C. 20007  
1-800-992-9545**

(c) Tariff:

**Charles H. Helein, Regulatory Counsel  
Helein & Associates, P.C.  
8180 Greensboro Drive - Suite 700  
McLean, VA 22102  
(703) 714-1301  
(703) 714-1330 (fax)**

(d) Complaints/Inquiries from customers;

**Patrick H. Allen, Secretary  
3248 Prospect Avenue, N.W.  
Washington, D.C. 20007  
1-800 992-9545**

11. List the states in which the applicant:

(a) Has operated as an interexchange carrier.

**None**

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

**Ohio, Pennsylvania.**

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

**Iowa, Michigan, Montana, New Jersey, Texas, and Utah.**

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

**MTS with distance sensitive per minute rates**

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

**MTS with route specific rates per minute**

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

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

Method of access is FGA

Method of access is FGB

Method of access is FGD

Method of access is 800

**MTS for pay telephone service providers**

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

**800 Service (Toll free)**

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

Method of access is via dedicated facilities

Method of access is via switched facilities

**Private Line services (Channel Services)**

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

**Travel Service**

Method of access is 950

Method of access is 800

**900 Service**

\_\_\_ **Operator Services**

- \_\_\_ Available to presubscribed customers  
\_\_\_ Available to non presubscribed customers (for  
example to patrons of hotels, students in  
universities, patients in hospitals  
\_\_\_ Available to inmates

**Services included are:**

- \_\_\_ Station assistance  
\_\_\_ Person to Person assistance  
 Directory assistance  
\_\_\_ Operator verify and interrupt  
\_\_\_ Conference Calling

\_\_\_ **Other:**

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

**Customers dial 1+ NXX + XXXX for outbound services where  
presubscription is not available.**

14. What services will the applicant offer to other certificated telephone companies: **None.**

- ( ) Facilities. ( ) Operators.  
( ) Billing and Collection. ( ) Sales.  
( ) Maintenance.  
( ) Other: \_\_\_\_\_

15. Will your marketing program: **No.**

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



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

N/A

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Residential customers. | <input checked="" type="checkbox"/> Business customers. |
| <input type="checkbox"/> PATS providers.                   | <input type="checkbox"/> PATS station end-users.        |
| <input type="checkbox"/> Hotels & motels.                  | <input type="checkbox"/> Hotel & motel guests.          |
| <input type="checkbox"/> Universities.                     | <input type="checkbox"/> Univ. dormitory residents.     |
| <input type="checkbox"/> Other: (specify) _____.           |   |

18. 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's name will appear on its bills.**

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

**ILD Telecommunications, Inc.  
16200 Addison Road, Suite 100  
Addison, Texas 75001**

19. Please submit the proposed tariff under which the company plans to begin operation. Use the format required by Commission Rule 25-24.485.

**See Exhibit 2.**

\* \* 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 one 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. **LEC BYPASS RESTRICTIONS:** I acknowledge the Commission's policy that interexchange carriers shall not construct facilities to bypass the LECs without first demonstrating to the Commission that the LEC cannot offer the needed facilities at a competitive price and in a timely manner.
6. **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 telephone service.
7. **ACCURACY OF APPLICATION:** By my signature below, I attest to the accuracy of the information contained in this application and associated attachments.

Patrick H. Allen  
Patrick H. Allen  
Secretary

Date: 8/6/99

ATTACHMENTS:

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

**\*\* APPENDIX A \*\***

**CERTIFICATE TRANSFER STATEMENT**

N/A

I, (TYPED NAME) \_\_\_\_\_,  
current holder of certificate number \_\_\_\_\_, have  
reviewed this application and join in the petitioner's request.

\_\_\_\_\_  
Signature of owner or chief  
officer of the certificate holder

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**\*\* 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.)

Patrick H. Allen  
Patrick H. Allen  
Secretary

Date: 8/6/99

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

**INTRASTATE NETWORK**

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

N/A

1) 2)

3) 4)

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

1) 2) N/A

3) 4)

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

N/A

1) POP-to-POP                      TYPE                      OWNERSHIP

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).

Service will be provided on a statewide basis.

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's network will be available statewide on an equal access basis through presubscription or 10XXX.

6. **CURRENT FLORIDA INTRASTATE SERVICES:** Applicant ( ) has or (X) has not 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

Patrick H. Allen  
Patrick H. Allen  
Secretary

Date: 8/6/99

**\*\* 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.

**Service will be provided on a statewide basis.**

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).

*Patrick H. Allen*  
\_\_\_\_\_  
Patrick H. Allen  
Secretary

Date: 8/6/99



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

| <u>Extended Service Area</u>        | <u>with</u> | <u>These Exchanges</u>   |
|-------------------------------------|-------------|--|
| PENSACOLA:                          |             | Cantonment, Gulf Breeze<br>Pace, Milton Holley-Navarre.  |
| PANAMA CITY:                        |             | Lynn Haven, Panama City Beach,<br>Youngstown-Fountain and Tyndall AFB.   |
| TALLAHASSEE:                        |             | Crawfordville, Havana,<br>Monticello, Panacea, Sopchoppy<br>and St. Marks.   |
| JACKSONVILLE:                       |             | Baldwin, Ft. George,<br>Jacksonville Beach, Callahan,<br>Maxville, Middleburg,, Orange<br>Park, Ponte Vedra and Julington.                   |
| GAINESVILLE:                        |             | Alachua, Archer, Brooker,<br>Hawthorne, High Springs,<br>Melrose, Micanopy, Newberry and<br>Waldo.   |
| OCALA:                              |             | Belleview, Citra, Dunnellon,<br>Forest Lady Lake (B21),<br>McIntosh, Oklawaha, Orange<br>Springs, Salt Springs and Silver<br>Springs Shores. |
| DAYTONA BEACH:                      |             | New Smyrna Beach.  |
| TAMPA:                              |             | Central None<br>East Plant City<br>North Zephyrhills<br>South Palmetto<br>West Clearwater  |
| CLEARWATER:                         |             | St. Petersburg, Tampa-West and<br>Tarpon Springs.  |
| ST. PETERSBURG:                     |             | Clearwater.  |
| LAKELAND:<br>City and Winter Haven. |             | Bartow, Mulberry, Plant City, Polk   |

\*\* FLORIDA EAS MAJOR EXCHANGES CONTINUE \*\*

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: Boca Raton, Coral Springs, Deerfield Beach 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 950-10XX.

**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, con-figured 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.

**EXHIBIT 1**

**WebNet Communications, Inc.**

**CERTIFICATE OF AUTHORITY TO DO BUSINESS**



FLORIDA DEPARTMENT OF STATE  
Katherine Harris  
Secretary of State

June 22, 1999

JANE M. HELEIN  
HELEIN & ASSOCIATES, P.C.  
8180 GREENSBORO DRIVE #700  
MCLEAN, VA 22102

Qualification documents for WEBNET COMMUNICATIONS, INC. were filed on June 17, 1999 and assigned document number F99000003216. 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 (850) 487-6091, the Foreign Qualification/Tax Lien Section.

Tammi Cline  
Document Specialist  
Division of Corporations

Letter Number: 899A00033218



APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA.

1. WebNet Communications, Inc.

(Name of corporation; must include the work "INCORPORATED", "COMPANY", "CORPORATION" or words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of a natural person or partnership if not so contained in the name at present.)

2. Virginia 3. 58-2411946

(State or country under the law of which it is incorporated)

(FEI number, if applicable)

4. June 4, 1998 5. Perpetual

(Date of incorporation)

(Duration: Year corp. will cease to exist or "perpetual")

6. Will commence upon certification

(Date first transacted business in Florida.) (SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)

7. 3248 Prospect Avenue, NW

Washington, DC 20007

(Current mailing address)

8. Telecommunications Services

(Purpose(s) of corporation authorized in home state or country to be carried out in state of Florida)

9. Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box NOT acceptable)

Name: Corporation Service Company

Office Address: 1201 Hays Street

Tallahassee, Florida, 32301  
(Zip code)

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

99 JUN 17 PM 5:00

FILED

10. Registered agent's acceptance:

Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

CORPORATION SERVICE COMPANY  
Patricia A. Simpson, AUTHORIZED REPRESENTATIVE  
(Registered agent's signature)

1. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

12. Names and addresses of officers and/or directors: (Street address ONLY - P.O. Box NOT acceptable)

A. DIRECTORS (Street address only - P.O. Box NOT acceptable)

Chairman: M. H. Lewis  
Address: 3248 Prospect Ave., NW, Washington, DC 20007  
Vice Chairman: \_\_\_\_\_

Address: \_\_\_\_\_

Director: \_\_\_\_\_

Address: \_\_\_\_\_

Director: \_\_\_\_\_

Address: \_\_\_\_\_

B. OFFICERS (Street address only - P.O. Box NOT acceptable)

President: M. H. Lewis

Address: 3248 Prospect Ave., NW  
Washington, DC 20007

Vice President: \_\_\_\_\_

Address: \_\_\_\_\_

Secretary: Patrick H. Allen

Address: 3248 Prospect Ave., NW  
Washington, DC 20007

Treasurer: M. H. Lewis

Address: 3248 Prospect Ave., NW  
Washington, DC 20007

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors.

3. M. H. Lewis  
(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)

4. M. H. Lewis - President  
(Typed or printed name and capacity of person signing application)

**EXHIBIT 2**

**WebNet Communications, Inc.**

**PROPOSED TARIFF**

**TELECOMMUNICATIONS SERVICES TARIFF**

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**TITLE PAGE**

**FLORIDA TELECOMMUNICATIONS TARIFF**

This tariff contains the description, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by WebNet Communications, Inc., with principal offices at 3248 Prospect Street, N.W., Washington, D.C. 20007. This tariff applies to services furnished within Florida. This tariff is on file with the Florida Public Service Commission, where copies may be inspected during normal business hours.

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**ISSUED:**

**EFFECTIVE:**

**By: Tariff Administrator  
WebNet Communications, Inc.  
3248 Prospect Street, N.W.  
Washington, D.C. 20007**

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TELECOMMUNICATIONS SERVICES TARIFF

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CHECK SHEET

Pages 1 through 21 inclusive of this tariff are effective as of the date shown at the bottom of the respective page(s). Original and revised pages as named below comprise all changes from the original tariff and are currently in effect as of the date at the bottom of this page.

| <u>PAGE</u> | <u>REVISION</u> |
|-------------|-----------------|
| 1           | Original        |
| 2           | Original        |
| 3           | Original        |
| 4           | Original        |
| 5           | Original        |
| 6           | Original        |
| 7           | Original        |
| 8           | Original        |
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| 12          | Original        |
| 13          | Original        |
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| 15          | Original        |
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| 17          | Original        |
| 18          | Original        |
| 19          | Original        |
| 20          | Original        |
| 21          | Original        |

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**SYMBOLS**

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

- (D) - Delete or Discontinue
- (I) - Change Resulting in an Increase to a Customer's Bill
- (M) - Moved to/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 to Rate or Charge

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**TARIFF FORMAT**

- A. Page Numbering - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the FPSC. For example, 4th Revised Page 14 cancels the 3rd Revised Page 14. Because of various suspension periods, deferrals, etc. the FPSC follows in its tariff approval process, the most current page number on file with the FPSC is not always the tariff page in effect. Consult the Check Sheet for the page 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. I.A.
  - 2.1. I.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).(l).

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**TARIFF FORMAT (Cont'd)**

- 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 pages 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 these are the 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 page is the most current on file with the FPSC.

---

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Access Line** - A telephone line provided by local exchange carriers which connect a telephone or other communications device at a customer's location to WebNet Communications, Inc.'s underlying carrier's telecommunications network switching center(s).

**Carrier or Company** - WebNet Communications, Inc. ("WebNet").

**Customer** - The person, firm, corporation, end user or other entity which orders or uses services and is responsible for the payment of charges.

**FPSC** - Florida Public Service Commission.

**Rate Center** - The Points of Presence (POPs) or first point of interconnection of local exchange facilities providing access to the long distance network of the Company's Underlying Carrier and the point from which a customer's traffic is rated and billed.

**Service Agreement** - Company's standard form for the ordering and acceptance of a customer's request for and commitment to take Company's service offerings pursuant to this tariff.

**Underlying Carrier** - The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of customer telecommunications traffic within Florida.

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**SECTION 2 - RULES AND REGULATIONS****2.1 Undertaking of Company**

Company undertakes to provide only those designated Services as are furnished under the terms and subject to the conditions and customer payment of the applicable rates of this tariff for communications originating and terminating within Florida.

The Company's Services are available to its customers twenty-four hours per day, seven days per week.

**2.2 Limitations**

2.2.1 Service is offered subject to the availability of the facilities of Company's Underlying Carrier and the provisions of this tariff.

2.2.2 Company reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control, or when the customer is using service in violation of the law or the provisions of this tariff.

2.2.3 The Services provided under this tariff are subject to the direct and exclusive control of the Company. No one may alter or affect the Services nor transfer or assign its use of the Services without the express written consent of the Company, which consent may be withheld, without limitation, by Company in its sole discretion at any time such alteration, effect, transfer or assignment would result in an interruption of the Services or a change in the customer's location to which the Services are to be provided.

2.2.4 In the event prior written permission from the Company is given for any assignment or transfer, all regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

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**TELECOMMUNICATIONS SERVICES TARIFF**

---

**SECTION 2 - RULES AND REGULATIONS (Cont'd)**

**2.3 Disconnection of Service by Company**

The Company, upon 5 working days written notice to the customer, may discontinue service or cancel an application for service without incurring any liability for any of the following reasons:

- 2.3.1 Non-payment of any sum due to Company for regulated service for more than thirty days beyond the date of rendition of the bill for such service.
- 2.3.2 A violation of any regulation governing the service under this tariff.
- 2.3.3 A violation of any law, rule, or regulation of any government authority having jurisdiction over such service.
- 2.3.4 The Company has given the customer notice and has allowed a reasonable time to comply with any rule or remedy any deficiency as stated in Rule 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company.

---

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)****2.4 Liabilities of the Company**

- 2.4.1 Company has no liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission or call processing of customer's communications traffic by the Underlying Carrier. The Company's liability for such damages occurring in the course of furnishing the Company's Services but not caused by its gross negligence or willful misconduct or that of its employees or agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which such mistakes, interruptions, omissions, delays, errors, or defects in the Company's furnishing of its Services occur.
- 2.4.2 Acceptance of the provisions of Section 2.4.1 by the Commission does not constitute its determination that the limitation of liability imposed by the Company should be upheld in a court of law; but the recognition that as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of Section 2.4.1.

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**TELECOMMUNICATIONS SERVICES TARIFF**

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.4 Liabilities of the Company (Cont'd)

2.4.3 Company shall be indemnified and held harmless by the customer against:

- (A) Claims for libel, slander, or infringement of copyright or trademark arising out of the material, data, information, or other content of a customer's communications traffic;
- (B) Claims for patent infringement arising from a customer's use of its equipment, facilities or systems with the Company's Services; and
- (C) All other claims arising out of any act or omission of the customer in connection with any service provided by Company.

2.5 Interruption of Service

2.5.1 Credit allowance for the interruption of service is subject to the general liability provisions set forth in Section 2.4.1 herein. Customer shall receive no credit allowance for interruption of service due to Carrier's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer. It shall be the obligation of the customer to notify the Company immediately of any interruption in service for which a credit allowance is claimed. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission within customer's control, or is not in wiring or equipment, if any, furnished by the customer in connection with the Company's Services.

2.5.2 No credit is allowed in the event service must be interrupted in order to provide routine service quality or related investigations.

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**TELECOMMUNICATIONS SERVICES TARIFF**

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.5 Interruption of Service (Cont'd)

2.5.3 Credit for failure of service shall be allowed only when such failure is caused by or occurs due to causes within the control of Company or in the event Company is entitled to a credit for the failure of the facilities of Company's Underlying Carrier used to furnish customer's service.

2.5.4 No credit shall be allowed:

(A) For failure of services or facilities of customer; or

(B) For failure of services or equipment caused by the negligence or wilful acts of customer.

2.5.5 Credit for an interruption shall commence after customer notifies Company of the interruption or when Company becomes aware thereof, and ceases when service has been restored.

2.5.6 Before customer notifies Company of an interruption, customer shall make reasonable attempts to ascertain that customer, a third party or its or their actions and/or equipment is/are not the cause thereof.

2.5.7 Credits are applicable only to that portion of service interrupted.

2.5.8 For purposes of credit computation, every month shall be considered to have 720 hours.

2.5.9 No credit shall be allowed for an interruption of a continuous duration of less than two hours.

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)****2.5 Interruption of Service (Cont'd)**

2.5.10 The customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the service affected for each hour or major fraction thereof that the interruption continues. Calculations of the credit shall be made in accordance with the following formula.

Credit Formula:

$$\text{Credit} = \frac{A}{720} \times B$$

"A" = outage time in hours

"B" = total monthly charge for affected facility

**2.6 Restoration of Service**

The use and restoration of service shall be administered by the Underlying Carrier in accordance with the priority system of the Federal Communications Commission.

**2.7 Deposits**

The Company does not require a deposit from its customers.

**2.8 Advance Payments**

The Company does not collect advance payments.

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**SECTION 2 - RULES AND REGULATIONS (Cont'd)****2.9 Taxes**

All state and local taxes levied by governmental entities upon customers (for example, sales taxes, gross receipts taxes, and municipal utilities taxes) are listed as separate line items on customer bills and are not included in the Company's scheduled rates.

**2.10 Collection of Charges**

2.10.1 In the event Company incurs fees or expenses, including attorneys' fees, to collect, or attempt to collect, any charges owed Company by customer, including charges alleged to have resulted from fraud or abuse of customer's services, the Company shall charge customer all such fees and expenses, including Company's reasonable attorney's fees, incurred to collect or to attempt to collect its charges, and Company shall be entitled to recover such fees or expenses irrespective of whether it prevails in any legal action brought to collect its charges, all in accordance with and subject to the following additional legal requirements.

2.10.2 In accordance with the "filed tariff doctrine," as established by judicial and regulatory decisions and precedents, customer shall pay all charges due and owing irrespective of any claims of loss, liability, set off, damages, or other claims against Company to which customer may claim to be entitled. The duty to pay such charges shall arise upon the demand for payment by Company and shall not be delayed or deferred by the commencement of any legal or equitable action by either customer or Company in connection with such charges incurred under this tariff.

---

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**TELECOMMUNICATIONS SERVICES TARIFF**

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.11 Employee Concessions

There are no employee concessions.

2.12 Specific Services

The Company does not currently offer any specific services for which conditions of eligibility apply.

2.13 Billing

Company bills its customers directly. Customers may call Company toll-free at 800-992-9545 with any billing disputes. All approved credits will appear on the customer's bill within 60 days of approval.

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**SECTION 3 - DESCRIPTION OF SERVICES****3.1 Usage Based Services**

The Company's charges are based on the actual usage of Company's services, plus any special features and/or service options, if any. Charges begin when the designated communication termination(s) is/are accessed and enabled thereby ("connected") to receive the communication from the originating location on the network. Charges cease when the termination(s) is/are disconnected.

3.1.1 Long distance usage charges are based on the actual usage of the Company's network. Chargeable time begins when the calling and called stations are connected.

3.1.2 Chargeable time ends when either party hangs up.

3.1.3 Unless otherwise specified in this tariff, the minimum call duration for billing purposes is one (1) minute.

3.1.4 Unless otherwise specified in this tariff, usage is measured and rounded to the higher full minute for billing purposes.

3.1.5 The Company does not bill for unanswered calls.

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**TELECOMMUNICATIONS SERVICES TARIFF**

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**SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)****3.2 Rates**

Rates, charges and restrictions are set forth in § 4 following.

**3.3 Services Not Available**

Carrier does not offer 911, collect or third-party billed calling.

**3.4 Calculation of Distance**

Company's current services are not distance sensitive. Charges tariffed on a distance sensitive basis will be based on the airline distance between rate centers located within Florida. The distance between rate centers is determined by applying the vertical and horizontal coordinates associated with the rate centers involved as set forth in AT&T's FCC No. 10. A standard formula for calculating distance such as the following will be used.

Step 1 - Obtain the "V" and "H" coordinates for the originating point and the destination point.

Step 2 - Obtain the difference between both the "V" coordinates and "H" coordinates of each of the Rate Centers.

Step 3 - Square the differences obtained in Step 2.

Step 4 - Add the squares of the "V" difference and "H" difference obtained in Step 3.

Step 5 - Divide the sum of the square obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.

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**TELECOMMUNICATIONS SERVICES TARIFF**

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

3.4 Calculation of Distance (cont'd)

Step 6 - Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the originating and terminating serving rate centers.

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

3.5 Minimum Call Completion Rate

Calls may be originated in equal access areas only (FGD) and Carrier's minimum call completion rate is 95%.

3.6 Directory Assistance

The company provides standard Directory Assistance.

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**TELECOMMUNICATIONS SERVICES TARIFF**

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SECTION 4 - RATES

4.1 General

Switched equal access services for 1+, toll free access and calling card services are available to business and residential customers twenty-four (24) hours a day, seven (7) days a week.

4.2 Billing Increments

Calls are billed in one (1) minute increments with a minimum billing increment of two minutes for 1+ and toll free access services and three (3) minutes for calling card calls.

4.3 Uncompleted Calls

No charge is incurred for uncompleted calls.

4.4 Time-of-Day and Distance Insensitive

Charges are billed on a postalized or flat rated basis.

4.5 Rates for 1+ and Toll Free Access

The following rates apply to 1+ and toll free access services:

Rate per minute ..... \$0.18

4.6 Rates for Calling Card Service

Rate per minute ..... \$0.27

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SECTION 4 - RATES (Cont'd)

4.7 Miscellaneous Charges

4.7.1 Remote Access Surcharge

A surcharge applies to all calls made using an access code for remote (from non-presubscriber lines) call origination.

Charge per call ..... \$0.40

4.7.2 Directory Assistance

A Directory Assistance charge applies whether or not the requested number is provided. Up to two (2) requests for listings within a single area code may be made on each call to Directory Assistance. If Directory Assistance is asked to dial the call, the charges applicable under Section 4.5 or 4.6 apply for the duration of the call.

Charge per call ..... \$0.95

4.7.3 Intrastate Network Access Charges

A charge applies to recover the access component of calling services as levied by local service providers.

|                                     |                 |
|-------------------------------------|-----------------|
| Primary Residential Service .....   | \$0.062876/line |
| Single Line Business Service .....  | \$0.062876/line |
| Secondary Residential Service ..... | \$0.062876/line |
| Multi-line Business Service .....   | \$0.062876/line |

4.7.4 Taxes and Regulatory Fees and Expenses

A charge equal to the taxes imposed or regulatory fees assessed, plus Company's cost of collection and administration shall be made of \$0.018 per each minute of call duration for all 1+ and toll free access services and of \$0.027 each minute of all calling card call duration.

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EXHIBIT 3

WebNet Communications, Inc.

**BALANCE SHEET AND PROJECTED PROFIT AND LOSS STATEMENT**

Attached are Applicant's Balance Sheet and a Projected Profit and Loss Statement. Applicant is a start-up company, just formed on June 4, 1998, and does not yet have audited financial statements. I affirm that the financial statements are true and correct.

  
Patrick H. Allen, Secretary

Profit and Loss Statement  
Twelve Months Projection Beginning: 10/1/99  
For the State of Florida

Estimated Number of Pennsylvania Customers: 4000  
Average monthly long distance bill: \$29.00  
Intrastate/Interstate toll revenue percentage: 50/50  
Average intrastate monthly long distance bill: \$14.50

$4000 \times \$14.50 = \$58,000$

$\$58,000 \times 12 \text{ mo.} = \$696,000$

Gross revenue from intrastate services = \$696,000

Operating Expenses:

|                  |           |
|------------------|-----------|
| Line Charges     | \$317,377 |
| Marketing        | \$84,633  |
| Billing          | \$74,054  |
| Customer Service | \$52,896  |

Total Expenses \$528,960

Net Intrastate First Year Earnings Before Taxes: \$167,040

## STATEMENT OF FINANCIAL CAPABILITIES

WebNet Communications, Inc. ("WebNet ") has the financial capability to provide intrastate resale services in Florida for the following reasons. WebNet , being a reseller, does not have a need for a large amount of capital to offer its services. WebNet does not anticipate a need for taking on any debt to service. WebNet does have good banking relationships should an unexpected need for financing ever arise. WebNet has very experienced management to direct operations and fully expects its Florida operations to be profitable within three months. In the meantime, WebNet's international and interstate revenues and the revenues it derives from those states where it already offers intrastate service can support its Florida operations until its Florida operations become profitable.

# HELEIN & ASSOCIATES, P. C.

ATTORNEYS AT LAW

8180 GREENSBORO DRIVE  
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WRITER'S DIRECT EMAIL ADDRESS:

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jmarashlian@helein.com

August 13, 1999

## VIA OVERNIGHT DELIVERY

Florida Public Service Commission  
Division of Administration, Room G-50  
101 East Gained Street  
Tallahassee, Florida 32399-0866

DEPOSIT

DATE

D188

AUG 16 1999

991108-TI

Re: WebNet Communications, Inc.'s Application for Authority to Provide Interexchange Telecommunications Service Within the State of Florida

Ladies and Gentlemen:

Enclosed are an original and twelve (12) copies of WebNet Communications, Inc.'s ("WebNet") Application for Authority to Provide Interexchange Telecommunications Service Within the State of Florida. WebNet is a non-facilities based reseller of 1+, toll free access, and calling card telecommunications services. Also enclosed is the filing fee of \$250.00 made payable to the Florida Public Service Commission.

An extra copy of this filing is enclosed. Please date-stamp and return the extra copy in the self-addressed, stamped envelope provided. If you have any questions regarding this application please contact me at the number listed above.

### THE HELEIN LAW GROUP, P.C.

8180 GREENSBORO DRIVE SUITE 700  
MCLEAN, VIRGINIA 22102

TYSONS NATIONAL BANK  
MCLEAN, VA 22102

68-541/560 1

4837

00004837

PAY TWO HUNDRED FIFTY AND XX / 100 Dollars

DATE

AMOUNT

08/13/99

\*\*\*\*\*\$250.00

TO THE ORDER OF Public Service Commission

DOCUMENT NO.

09068-99

8-16-99

*Deborah Shuck*

AUTHORIZED SIGNATURE

⑈004837⑈