

**Lance J.M. Steinhart**  
Attorney At Law  
6455 East Johns Crossing  
Suite 285  
Duluth, Georgia 30097

Also Admitted in New York  
and Maryland

Telephone: (770) 232-9200  
Facsimile: (770) 232-9208

August 31, 1999

**VIA OVERNIGHT DELIVERY**

991289 - TX

Florida Public Service Commission  
Division of Communications  
Certification & Compliance Section  
2540 Shumard Oak Blvd.  
Gunter Bldg.  
Tallahassee, Florida 32399-0850

DEPOSIT                      DATE  
D193 \*                      SEP 02 1999

Re: MVX.COM Communications, Inc. - LOCAL EXCHANGE

Dear Sir/Madam:

Enclosed please find one original and six (6) copies of MVX.COM Communications, Inc.'s Application for Authority to Provide Alternate Local Exchange Service Within the State of Florida.

MVX.COM Communications, Inc., has sufficient financial capability to provide the requested service in the State of Florida and has sufficient financial capability to maintain the requested service and to meet its lease or ownership obligations. As a reseller, applicant does not intend to make a capital investment to provide service in the State of Florida, however, applicant intends to fund the provision of service through internally generated cash flow.

I also have enclosed a check in the amount of \$250.00 payable to the Florida Public Service Commission to cover the cost of filing these documents.

RECEIVED & FILED

Wm  
BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10570 SEP-28

FPSC-RECORDS/REPORTING

Florida Public Service Commission  
August 31, 1999  
Page 2

Please return a stamped copy of the extra copy of this letter in the enclosed preaddressed prepaid envelope.

If you have any questions regarding the application, please do not hesitate to call me. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Cooke", with a long horizontal flourish extending to the right.

Anthony Cooke  
Director of Government Affairs for  
Lance J.M. Steinhart, Esq.  
Attorney for MVX.COM Communications, Inc.

Enclosures

cc: Edward A. Brinskele



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DOCUMENT NUMBER - DATE  
 10570 SEP-26  
 SEC-RECORDS/REPORTING

**MVX COMMUNICATIONS**  
 100 ROWLAND WAY, SUITE 145  
 NOVATO, CA 94945

**WESTAMERICA BANK**  
 IGNACIO, CA 94949  
 90-4021/1211 - 508

20751

6/10/1999

PAY TO THE ORDER OF Florida Public Service Comm \$ \*\*250.00

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

Florida Public Service Comm

DOLLAR Security feature included. Details on back

MEMO Tariff Filing Fees

*[Handwritten Signature]*

11354 1997 INTUIT INC. #785 180-433-8810

FLORIDA PUBLIC SERVICE COMMISSION  
CAPITAL CIRCLE OFFICE CENTER - 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

APPLICATION FORM 97289  
for  
AUTHORITY TO PROVIDE ALTERNATIVE LOCAL EXCHANGE SERVICE  
WITHIN THE STATE OF FLORIDA

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INSTRUCTIONS

1. This form is used for an original application for a certificate and for approval of sale, assignment or transfer of an existing alternative local exchange certificate. In case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee.
2. Respond to each item requested in the application and appendices. If an item is not applicable, please explain why.
3. Use a separate sheet for each answer which will not fit the allotted space.
4. If you have questions about completing the form, contact:  

Florida Public Service Commission  
Division of Communications  
Certification & Compliance Section  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0866  
(904) 413-6600
5. Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of \$250 made payable to the Florida Public Service Commission at the above address.

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

**Original authority** (new company)

**Approval of transfer** (to another certificated company)

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

**Approval of assignment of existing certificate** (to a non-certificated company)

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

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

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

2. Name of applicant:

**MVX.COM Communications, Inc.**

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

**d/b/a Not Applicable**

4. If applicable, please provide proof of fictitious name (d/b/a) registration. **N/A**

Fictitious name registration number: Not Applicable

5. A. National mailing address including street name, number, post office box, city, state, zip code and phone number.

**100 Rowland Way, Suite 145  
Novato, California 94945  
415-893-7180**

B. Florida mailing address including street name, number, post office box, city, state, zip code and phone number.

None

6. Structure of organization:

- Individual                       Corporation  
 Foreign Corporation               Foreign Partnership  
 General Partnership               Limited Partnership  
 Joint Venture                       Other, Please explain

State of California

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

N/A

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

No.

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

Corporate charter number: F99000002616

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

**Edward A. Brinskele**  
**President & CEO**  
**MXV.COM Communications, Inc.**  
**100 Rowland Way, Suite 145**  
**Novato, California 94945**  
**415-893-7180/Phone**  
**415-893-0569/Fax**

**Anthony Cooke**  
**Director of Government Affairs**  
**Law Office of Lance J.M. Steinhart**  
**6455 East Johns Crossing, Suite 285**  
**Duluth, GA 30097**  
**770-232-9200/Phone**  
**770-232-9208/Fax**

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

**Applicant currently provides local exchange service in California. The applicant is in the process of applying to provide local exchange service nationwide.**

12. Has the applicant been denied certification in any other state? If so, please list the state and reason for denial.

**No.**

13. Have penalties been imposed against the applicant in any other state? If so, please list the state and reason for penalty.

**No.**

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

**Customer service will be available at the same times as the incumbent local exchange carriers which will provide the underlying facilities for applicant's proposed service.**

15. Please complete and file a price list in accordance with Commission Rule 25-24.825.

**Applicant will provide prior to the commencement of the provision of basic service.**

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

A. Financial capability.

Regarding the showing of financial capability, the following applies:

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

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.

**MVX.Com Communications, Inc., is the wholly owned operating subsidiary of MVX.COM. MVX.COM Communications, Inc., will rely upon the parent company, MVX.COM, for financial assistance, if needed, and will initially provide local exchange on a resale basis.**

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 attest that the financial statements are true and correct.

**See Attached**

B. Managerial capability.

**See Attached.**

C. Technical capability.


(If you will be providing local intra-exchange switched telecommunications service, then state how you will provide access to 911 emergency service. If the nature of the emergency 911 service access and funding mechanism is not equivalent to that provided by the local exchange companies in the areas to be served, describe in detail the difference.)

**Since applicant intends to provide only resold local exchange service utilizing the facilities of incumbent local exchange carriers, access to 911 emergency service will be provided by the LECs.**

**AFFIDAVIT**

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

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

Official:   
Signature

8-31-99  
Date

Title: Ed Brinskele  
President & CEO

415-893-7180  
Telephone Number

Address: 100 Rowland Way, Suite 145  
Novato, California 94945

FL

LIST OF ATTACHMENTS

FINANCIAL INFORMATION

MANAGEMENT INFORMATION



**MVX.COM Communications, Inc.**  
**Consolidated Balance Sheet**  
**As of June 30, 1999**  
**Unaudited**

**Assets**

**Current Assets:**

Cash	\$ 174,076
Net Accounts Receivable, with allowance for doubtful accounts of \$21,000	364,685
Prepaid Expenses	84,394
Deposits	160,875
<b>Total Current Assets:</b>	<b>\$ 784,030</b>

**Other Assets:**

Intangible Assets	\$ 4,000
Other Assets	39,466
<b>Total Other Assets:</b>	<b>43,466</b>

**Property, Plant and Equipment, at cost:**

Leasehold Improvements	\$ 94,932
Switch Equipment	591,976
Computer and Office Equipment	1,023,481
Furniture and Fixtures	158,093
Telephone Equipment	112,941
Software	142,335
 Reserve for loss on disposition of assets	 (100,000)
Less Accumulated Depreciation	(487,584)
<b>Total Property, Plant and Equipment:</b>	<b>\$ 1,536,174</b>

**Total Assets**

**\$ 2,363,670**



**MVX.COM Communications, Inc.**  
**Consolidated Balance Sheet**  
**As of June 30, 1999**  
Unaudited

**Liabilities and Equity**

**Current Liabilities:**

Accounts Payable	\$ 1,243,997
Other Accrued Liabilities	632,187
Current Capitalized Lease Obligation	<u>214,724</u>
Total Current Liabilities:	\$ <u>2,090,907</u>

**Long Term Liabilities:**

Capitalized Lease Obligation	\$ 126,753
Other	<u>200</u>
Total Long Term Liabilities:	\$ <u>126,953</u>

**Equity:**

Net Income	<u>\$ 145,810</u>
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**Total Liabilities and Equity**

**\$ 2,363,670**



**MVX.COM Communications, Inc.**  
**Consolidated Statement of Operations**  
**As of June 30, 1999**  
 Unaudited

	<u>Jun-99</u>	<u>YTD</u>
Net Sales	\$ 165,796	\$ 1,398,722
Total Cost of Sales	\$ 111,401	\$ 875,710
Gross Margin	54,396	523,012
Gross Margin %	32.8%	37.4%
Operating Expenses		
Engineering/Network Services	\$ 1,244	\$ 9,162
Software/Technology Development	14,515	106,885
Marketing	2,903	21,377
Sales and Service	12,441	91,616
General and Administrative	10,368	76,346
Total Operating Expenses	\$ 41,470	\$ 305,385
Income Before Taxes	\$ 12,925	\$ 217,627
Tax Expense	4,265	71,817
Net Income	<u>\$ 8,660</u>	<u>\$ 145,810</u>

**MVX.COM**  
**FORECASTED INCOME STATEMENT**

	1Q99 projected	2Q99 projected	3Q99 projected	4Q99 projected	1999 projected	1Q00 projected	2Q00 projected	3Q00 projected	4Q00 projected	2000 projected
<b>REVENUES</b>										
<b>Revenue by Product</b>										
InterExchanges Svcs.	\$ 86,882	\$ 371,624	\$ 989,288	\$ 1,897,726	\$ 3,345,520	\$ 3,023,102	\$ 4,290,568	\$ 5,692,383	\$ 7,239,190	\$ 20,245,242
Local Exchange Svcs.	\$ -	\$ 223,323	\$ 642,484	\$ 1,232,444	\$ 2,098,251	\$ 1,963,790	\$ 2,787,811	\$ 3,699,402	\$ 4,705,502	\$ 13,156,506
Wireless	\$ 54,301	\$ 230,348	\$ 611,890	\$ 1,173,756	\$ 2,070,294	\$ 1,870,276	\$ 2,655,058	\$ 3,523,240	\$ 4,481,431	\$ 12,530,005
Data Communications	\$ 59,731	\$ 253,382	\$ 673,079	\$ 1,291,132	\$ 2,277,324	\$ 2,057,304	\$ 2,920,564	\$ 3,875,564	\$ 4,929,574	\$ 13,783,006
Service & Reporting Fees	\$ 13,575	\$ 54,519	\$ 142,708	\$ 273,722	\$ 484,525	\$ 436,909	\$ 621,289	\$ 825,811	\$ 1,051,457	\$ 2,935,287
Affinity Muni	\$ 216,790	\$ 198,965	\$ 192,007	\$ 159,361	\$ 787,123	\$ 136,632	\$ 129,095	\$ 132,822	\$ 113,878	\$ 512,427
Affinity Calling Card	\$ 178,135	\$ 151,014	\$ 129,476	\$ 111,009	\$ 567,634	\$ 95,177	\$ 81,602	\$ 69,963	\$ 59,965	\$ 306,727
Consulting revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pass Throughs	\$ 91,112	\$ 222,476	\$ 507,140	\$ 920,872	\$ 1,741,601	\$ 1,437,479	\$ 2,022,898	\$ 2,672,848	\$ 3,387,153	\$ 9,520,377
<b>Total product revenue</b>	<b>698,527</b>	<b>1,705,652</b>	<b>3,888,070</b>	<b>7,060,822</b>	<b>13,352,272</b>	<b>11,020,669</b>	<b>15,508,885</b>	<b>20,491,834</b>	<b>25,968,170</b>	<b>72,989,557</b>
<b>Revenue by Channel</b>										
Direct Sales Office/Reps	\$ 214,490	\$ 968,816	\$ 2,348,228	\$ 4,321,947	\$ 7,853,481	\$ 6,861,379	\$ 9,798,537	\$ 13,107,273	\$ 16,817,137	\$ 46,584,327
Direct National Account	\$ -	\$ 11,000	\$ 198,000	\$ 581,000	\$ 770,000	\$ 957,000	\$ 1,353,000	\$ 1,749,000	\$ 2,145,000	\$ 6,204,000
Partners/Agents	\$ -	\$ 100,000	\$ 375,000	\$ 756,250	\$ 1,231,250	\$ 1,205,031	\$ 1,689,829	\$ 2,211,903	\$ 2,774,120	\$ 7,886,884
Direct Sales/Internet, Adv.	\$ -	\$ 53,380	\$ 138,220	\$ 228,583	\$ 421,184	\$ 327,971	\$ 433,824	\$ 548,024	\$ 670,897	\$ 1,880,816
Affinity	\$ 392,925	\$ 349,980	\$ 321,482	\$ 270,370	\$ 1,334,757	\$ 231,808	\$ 210,697	\$ 202,785	\$ 173,863	\$ 819,154
Consulting revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pass Throughs	\$ 91,112	\$ 222,476	\$ 507,140	\$ 920,872	\$ 1,741,601	\$ 1,437,479	\$ 2,022,898	\$ 2,672,848	\$ 3,387,153	\$ 9,520,377
<b>Total channel revenue</b>	<b>698,527</b>	<b>1,705,652</b>	<b>3,888,070</b>	<b>7,060,822</b>	<b>13,352,272</b>	<b>11,020,669</b>	<b>15,508,885</b>	<b>20,491,834</b>	<b>25,968,170</b>	<b>72,989,557</b>
<b>EXPENSES</b>										
Cost of revenue	548,645	1,224,751	2,590,201	4,534,166	\$ 8,897,763	7,000,961	9,832,719	13,006,357	16,516,529	\$ 46,356,568
Gross margin	149,883	480,900	1,297,869	2,525,856	4,454,509	4,019,708	5,676,167	7,485,476	9,451,641	26,632,992
% of revenue	21%	28%	33%	36%	33%	36%	37%	37%	36%	36%
<b>Operating Expenses</b>										
<b>ENG./NTWK SVCS.</b>										
Headcount	3	4	5	6	6	7	7	7	8	8
Expenses	\$ 49,732	\$ 66,692	\$ 97,120	\$ 125,187	\$ 338,732	\$ 139,691	\$ 142,392	\$ 143,339	\$ 175,798	\$ 601,220
% of revenue	7%	4%	2%	2%	3%	1%	1%	1%	1%	1%
<b>SOFTWARE/TECH DEV</b>										
Headcount	10	12	14	22	22	24	26	28	29	29
Expenses	\$ 453,065	\$ 528,968	\$ 542,749	\$ 793,894	\$ 2,318,676	\$ 841,237	\$ 861,993	\$ 906,785	\$ 937,561	\$ 3,547,576
% of revenue	65%	31%	14%	11%	17%	8%	6%	4%	4%	5%
<b>MARKETING</b>										
Headcount	5	7	9	10	10	12	14	15	16	16
Expenses	\$ 151,997	\$ 216,242	\$ 295,587	\$ 398,252	\$ 1,062,058	\$ 528,902	\$ 663,460	\$ 759,642	\$ 889,193	\$ 2,841,197
% of revenue	22%	13%	8%	6%	8%	5%	4%	4%	3%	4%
<b>SALES AND SERVICES</b>										
Headcount	39	67	86	91	91	97	102	108	113	113
Expenses	\$ 932,201	\$ 1,604,029	\$ 2,030,806	\$ 2,311,105	\$ 6,878,142	\$ 2,509,034	\$ 2,718,669	\$ 3,044,647	\$ 3,393,305	\$ 11,665,655
% of revenue	133%	94%	52%	33%	52%	23%	18%	15%	13%	16%
<b>GENERAL AND ADMINISTRATION</b>										
Headcount	14	16	17	19	19	22	25	26	27	27
Expenses	\$ 500,839	\$ 570,271	\$ 675,035	\$ 740,066	\$ 2,486,211	\$ 934,588	\$ 999,327	\$ 1,130,770	\$ 1,224,992	\$ 4,289,677
% of revenue	72%	33%	17%	10%	19%	8%	6%	6%	5%	6%
Total Headcount	71	106	131	148	148	162	174	184	193	193
<b>TOTAL OPERATING EXPENSES</b>	<b>2,067,834</b>	<b>2,986,203</b>	<b>3,641,278</b>	<b>4,368,505</b>	<b>\$ 13,083,819</b>	<b>4,953,451</b>	<b>5,385,841</b>	<b>5,985,183</b>	<b>6,620,850</b>	<b>\$ 22,945,325</b>
% of revenue	299%	175%	94%	62%	98%	45%	35%	29%	25%	31%
<b>INCOME BEFORE INTEREST AND TAXES</b>										
	(1,937,951)	(2,505,302)	(2,343,408)	(1,842,648)	(8,629,310)	(933,744)	290,326	1,500,293	2,830,791	3,687,686
% of revenue	-277%	-147%	-60%	-26%	-65%	-8%	2%	7%	11%	5%
<b>Other income/expense</b>										
Interest income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,109	\$ 45,112	\$ 127,730	\$ 268,163	\$ 446,114
Interest expense	187,061	202,363	237,757	262,432	889,613	188,840	150,000	150,000	150,000	638,840
Net other income	(187,061)	(202,363)	(237,757)	(262,432)	(889,613)	(183,731)	(104,888)	(22,270)	118,163	(182,727)
<b>INCOME BEFORE TAXES</b>	<b>(2,125,013)</b>	<b>(2,707,666)</b>	<b>(2,581,165)</b>	<b>(2,105,080)</b>	<b>(9,518,924)</b>	<b>(1,117,475)</b>	<b>185,437</b>	<b>1,478,023</b>	<b>2,948,954</b>	<b>3,494,959</b>
Tax expense										
<b>NET INCOME (LOSS)</b>	<b>\$(2,125,013)</b>	<b>\$(2,707,666)</b>	<b>\$(2,581,165)</b>	<b>\$(2,105,080)</b>	<b>\$(9,518,924)</b>	<b>\$(1,117,475)</b>	<b>\$ 185,437</b>	<b>\$ 1,478,023</b>	<b>\$ 2,948,954</b>	<b>\$ 3,494,959</b>
% of revenue	-304%	-159%	-66%	-30%	-71%	-10%	1%	7%	11%	5%



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**MANAGEMENT TEAM AND DIRECTORS****MVX Management Team and Key Personnel****Edward A. Brinskele, President, CEO, and Director**

Mr. Brinskele has more than 25 years experience in the field of telecommunications. Mr. Brinskele founded MTC Corporation in 1987, serving as the Company's Chairman, President and CEO until 1996. Through an international network of switches, MTC provided domestic and international telecommunications services to corporate and individual customers. Prior to MTC, Mr. Brinskele was instrumental in the startup of both Digital Telephone Systems, which was later sold to Harris Corporation, and Centex Telemanagement, one of the pioneering firms in the competitive local telephone market. In addition to his expertise in product development, marketing and international distribution, Mr. Brinskele has an extensive technical background in digital switching, computer telephony, information systems and Internet technology. He has designed global telecommunications networks for companies such as MCI, American Express and a host of other multinational corporations. Mr. Brinskele is a graduate of the OPM program at Harvard Business School.

**Jeffrey G. Richards, Vice President of Operations**

Prior to joining the Company, Mr. Richards was a management consultant with the Organizational and Strategic Change Practice at Price Waterhouse LLP in San Francisco. In that capacity, he managed client engagements throughout the U.S. and Asia which focused on large-scale consolidation and cost reduction, process efficiency and strategy implementation. While at Price Waterhouse, Mr. Richards' primary engagements were focused on the high technology, banking and durable goods manufacturing sectors. Mr. Richards holds a BA from Dartmouth College in Hanover, NH.

**Stacia L. Lindahl, Executive Director of Business Development**

Ms. Lindahl has more than 12 years experience in the telecommunications sector, primarily focused on business analysis, product development, wholesale carrier and cellular markets. Prior to joining the Company, Ms. Lindahl served as Director of Business Development at NetSource Communications, Inc./MTC (MTC has since merged with NetSource, Inc.). While at NetSource/MTC, Ms. Lindahl was responsible for establishing carrier relationships, strategic partnerships, product development and implementation, network planning, cost management and reconciliation, product performance analysis, pricing and competitor/market trends. Prior to NetSource/MTC, Ms. Lindahl served as Treasury Manager with General Cellular Corporation (now Western Wireless Corporation), concentrating on financial analysis, risk management, cash management, portfolio management, shareholder relations, M&A work, public & private financings and corporate restructuring. Ms. Lindahl is a graduate of the University of Phoenix and an MBA candidate at the University of California, Davis.

**Kenneth P. Holmes, Director of Finance and Accounting**

Mr. Holmes has more than 10 years of experience within accounting and finance for technology companies. Prior to joining the Company, Mr. Holmes served as Chief Financial Officer of OMNIS Software, Incorporated. In that capacity he was responsible for worldwide accounting, finance, human resources, legal and information systems. Mr. Holmes served as acting CEO of OMNIS during a period that led to the turn around of the company. Prior to OMNIS, Mr. Holmes served as Assistant Controller of NeXT Software,



MVX.COM

prior to its acquisition by Apple Computer, Inc. While at NeXT, Mr. Holmes was responsible for all SEC-related activity leading up to the company's planned initial public offering (IPO), as well as the accounting and finance activity related to the Apple merger. Prior to NeXT, Mr. Holmes was the corporate Controller of Enlighten Software Solutions, where he played a leadership role in the firm's IPO. Prior to joining Enlighten Software, Mr. Holmes was with KPMG Peat Marwick, where he was primarily focused on the due diligence and preparation for public offerings within the technology sector. Mr. Holmes holds a BBA from the University of San Francisco.

**Robert W. Lara, Director of Network Services/Engineering**

Mr. Lara has more than 30 years experience in the field of telecommunications. Prior to joining MVX, Mr. Lara served as Director of Network Services for MTC International. For the past nine years with MTC, Mr. Lara has been responsible for the successful implementation and management of the Company's global facilities network. Mr. Lara has extensive experience dealing with carriers and other service providers throughout the U.S., Europe, and Asia. Prior to MTC, Mr. Lara was with Western Union as the Operations and Technical Support Manager for the Western United States.

**Brian Buch, Director of Information Systems**

Mr. Buch has 6 years of experience in software development and managing software development projects. Prior to joining the Company, Mr. Buch served as a manager within PricewaterhouseCooper's National Telecommunications Consulting Practice. He has managed large scale data warehouse and billing projects for Pacific Bell, DirectTV, US West, and Retevision (a Spanish telecommunications provider). While with PricewaterhouseCoopers, Mr. Buch also played a leadership role within the telecommunications practice through involvement in the firm's annual peer review process, recruiting, practice development, and conference speaking engagements. Mr. Buch holds a B.S. in Electrical Engineering from U.C. Santa Barbara.

**David T. Seaman, Lead Systems Architect**

Prior to joining the Company, Mr. Seaman was with PlayNet Technologies, where he developed systems for the manufacturing, distribution, and play tracking of Internet-based kiosk game units. He has 6 years experience in software development and has designed and programmed large scale systems for IBM Advantis, the U.S. Federal Reserve Bank, and the Environmental Protection Agency. Mr. Seaman holds a B.S. in Mechanical Engineering from U.C. Berkeley and an M.S. in Control Systems from U.C. Santa Barbara.

**Directors**

**Thomas R. Rice, Chairman of the Board of Directors, Director**

Dr. Rice has over 25 years of experience as an entrepreneur and venture capitalist. In 1996 Dr. Rice restarted Austin James, the publisher of *Hanes T-ShirtMaker & More*, raised \$5 million of venture capital and built revenues to over \$20 million annualized by the end of 1998. During 1994 - 1995, Dr. Rice led an internal task force when strategic sales stalled for Rasna Corp., a developer of mechanical computer-aided analysis software (MCAE), and succeeded in establishing the software as Hewlett-Packard's mechanical design standard. From 1986 through 1998 Dr. Rice was a general partner of Cornerstone Ventures, a \$21 million

M V X . C O M

venture fund providing hands-on, strategic direction to technology companies. Dr. Rice has a PhD in Engineering Systems from Stanford University, an MS in Mechanical Engineering from M.I.T., and a BS in Mechanical Engineering from Stanford University.

**Ronald W. Weiser, Vice Chair, Director**

Mr. Weiser is the Founder, Chairman and Chief Executive Officer of McKinley Associates, Inc., a national diversified investment company headquartered in Ann Arbor, Michigan. McKinley - and its two property management subsidiaries, McKinley Properties (residential) and McKinley Commercial (office/retail/industrial) - own or manage real estate valued in excess of \$1 billion. McKinley has regional offices in Ann Arbor and Taylor, Michigan, as well as Oklahoma City and Orlando. Mr. Weiser was recently appointed to the Michigan State Officer's Compensation Commission. He also serves on the Boards of a number of public non-profit organizations including: Chair, McKinley Foundation, a public foundation established in 1985 by he and his wife; Chair, Michigan Theater Board of Trustees; Co-Chair, Washtenaw County United Negro College Fund; Board Executive Committee Member and immediate Past Chair, Michigan Artrain; Director, Purple Rose Theater; and Trustee, Finance Committee Chair, and Treasurer, Henry Ford Museum and Greenfield Village. He also serves as Co-Chair of The University of Michigan's Center for Community Service and Learning, and is a member of The University's President's Advisory Board, the Business School's National Development Board, and the Athletic Department's Development and External Advisory Board. Mr. Weiser received his B.B.A. from The University of Michigan in 1966.

**Jeffrey S. Blumenfeld, Director**

Mr. Blumenfeld is a partner with Blumenfeld & Cohen, a law firm which specializes in the technology and telecommunications industries. Mr. Blumenfeld was formerly Chief of the *United States v. AT&T* Section at the Justice Department's Antitrust Division. He has lectured, written, and testified extensively on virtually all public policy and competition issues in telecommunications and other high-tech markets. Mr. Blumenfeld has served as special counsel to the Antitrust Division on a number of high-profile merger and antitrust investigations, including serving as a consultant on the early stages of the Department of Justice investigation of the launch of the Microsoft Network. Mr. Blumenfeld frequently works with the FCC, Department of Justice, and state regulatory commissions. Mr. Blumenfeld was a former Director of Centex Telemanagement. Mr. Blumenfeld received an A.B. from Brown University and a J.D. from the University of Pennsylvania Law School.

**Daniel T. Carroll, Director**

Mr. Carroll currently serves on the Boards of Directors of ten companies throughout the U.S., including eight publicly held corporations. He is the Chairman of the Board of both Comshare, Inc. and OshKosh Truck Corporation. Mr. Carroll is the former President of Booz Allen & Hamilton, Inc.'s Management Consulting Division, Chief Operating Officer of Gould, Inc., and President and Chief Executive Officer of Hoover Universal, Inc. Mr. Carroll is an author and speaker on a wide range of business and corporate issues. Mr. Carroll holds an A.B. from Dartmouth College and an M.A. from the University of Minnesota.

# State of Florida



## Department of State

I certify from the records of this office that MVX.COM COMMUNICATIONS, INC., is a corporation organized under the laws of California, authorized to transact business in the State of Florida, qualified on May 21, 1999.

The document number of this corporation is F99000002616.

I further certify that said corporation has paid all fees due this office through December 31, 1999, and its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Twenty-eighth day of May, 1999



CR2EO22 (1-99)

*Katherine Harris*

Katherine Harris  
Secretary of State

TITLE SHEET

FLORIDA TELECOMMUNICATIONS PRICE LIST

This price list contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for alternative local exchange telecommunications services provided by MVX.COM Communications, Inc., with principal offices at 100 Rowland Way, Suite 145, Novato, California 94945.

This price list applies for services furnished within the state of Florida. This price list is on file with the Florida Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

---

ISSUED:

EFFECTIVE: \_\_\_\_\_

By:

Edward A. Brinskele, President  
100 Rowland Way, Suite 145  
Novato, CA 94945

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CHECK SHEET

The sheets listed below, which are inclusive of this price list, are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original price list and are currently in effect as of the date of the bottom of this page.

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

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By:

Edward A. Brinskele, President  
100 Rowland Way, Suite 145  
Novato, CA 94945

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TABLE OF CONTENTS

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Section 4 - Miscellaneous Services.....19

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By:

Edward A. Brinskele, President  
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Novato, CA 94945

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SYMBOLS SHEET

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

- D - Delete Or Discontinue
- I - Change Resulting In An Increase to A Customer's Bill
- M - Moved From Another Tariff Location
- N - New
- R - Change Resulting In A Reduction To A Customer's Bill
- T - Change in Text Or Regulation But No Change In Rate Or Charge

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EFFECTIVE: \_\_\_\_\_

By:

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PRICE LIST FORMAT SHEETS

**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 price list. 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 their price list 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 price list filing is made with the FPSC, an updated check sheet accompanies the price list filing. The check sheet lists the sheets contained in the price list, 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 price list 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

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By:

Edward A. Brinskele, President  
100 Rowland Way, Suite 145  
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Access Line - An arrangement which connects the customer's location to the Company's network switching center.

Authorization Code - A numerical code, one or more of which are available to a customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the customer for billing purposes.

Company or Carrier - MVX.COM Communications, Inc.

Central Office - A location where there is an assembly of equipment that establishes the connections between subscriber access lines, trunks, switched access circuits, private line facilities, and special access facilities with the rest of the telephone network.

Customer - The person, firm, corporation or other entity which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

Exchange - The entire telephone plant and facilities used in providing telephone service to subscribers located in an exchange area.

Intra-state Toll Messages - Those toll messages which originate and terminate within the same state.

Message - a completed telephone call.

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**SECTION 2 - RULES AND REGULATIONS**

**2.1 Undertaking of the Company.**

The Company's services and facilities are furnished for communications originating at specified points within the state of Florida under terms of this price list.

The Company's installs operates, and maintains the communications services provided herein in accordance with the terms and conditions set forth under this price list. It may act as the customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to the Company's network. The customer shall be responsible for all charges due for such service arrangement.

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

The selling of ALEC telecommunication service to uncertificated ALEC resellers is prohibited.

**2.2 Limitations.**

2.2.1 Service is offered subject to the availability of facilities and provisions of this price list.

2.2.2 The Company's 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 price list.

2.2.3 All facilities provided under this price list are directly controlled by the Company and the customer may not transfer or assign the use of service or facilities, except with the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

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SECTION 2 - RULES AND REGULATIONS continued

2.2 Limitations (Cont.)

2.2.4 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this price list shall apply to all such permitted assignees or transferees, as well as all conditions for service.

2.2.5 Customers reselling or rebilling services must have a Certificate of Public Convenience and Necessity as an interexchange carrier for the Florida Public Service Commission.

2.3 Liabilities of the Company.

2.3.1 The Company's liability arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course of furnishing service or facilities, and not caused by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which the aforementioned faults in transmission occur, unless ordered by the Commission.

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

- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.
- (B) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by the Company.

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100 Rowland Way, Suite 145  
Novato, CA 94945

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**SECTION 2 - RULES AND REGULATIONS continued**

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**2.4 Interruption of Service.**

- 2.4.1 Credit allowance for the interruption of service which is not due to The Company's testing or adjusting, negligence or the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set forth in 2.3.1 herein. It shall be the customer's obligation to notify the Company immediately of any service interruption for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission by the customer within his control, if any, furnished by the customer and connected to the Company's facilities. No refund or credit will be made for the time that the Company stands ready to repair the service and the subscriber does not provide access to the Company for such restoration work.
- 2.4.2 No credit shall be allowed for an interruption of a continuous duration of less than twenty-four hours after the subscriber notifies the Company.
- 2.4.3 The customer shall be credited for an interruption of more than twenty-four hours as follows:
- Credit Formula:
- $$\text{Credit} = A/B \times C$$
- "A" - outage time in hours  
"B" - total days in month  
"C" - total monthly charge for affected facility

**2.5 Disconnection of Service by Carrier.**

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

- 2.5.1 Non-payment of any sum due to carrier for regulated service for more than thirty days beyond the date of rendition of the bill for such service.
- 2.5.2 A violation of any regulation governing the service under this tariff.
- 2.5.3 A violation of any law, rule, or regulation of any government authority having jurisdiction over such service.

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**SECTION 2 - RULES AND REGULATIONS continued**

**2.6 Deposits**

The Company does not require a deposit from the customer.

**2.7 Advance Payments**

For customers whom the Company feels an advance payment is necessary, the Company reserves the right to collect an amount not to exceed one month's estimated usage.

**2.8 Taxes**

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

**2.9 Billing of Calls**

All charges due by the subscriber are payable at any agency duly authorized to receive such payments. Any objection to billed charges should be promptly reported to the Company. Adjustments to customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

**2.10 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 use periods for all FG D services ("1+" dialing).

**2.11 Hearing Impaired**

The Company provides access to operator services, 911 services, and relay services for the hearing impaired as required in Chapter 364.337 (2), Florida Statutes.

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Novato, CA 94945

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**SECTION 3 - BASIC SERVICE DESCRIPTION AND RATES****3.1 Exchange Service List**

Chapter 25-24.825 (5), Florida Administrative Code only requires the company to make available to staff the alternative local exchange service areas upon request.

**3.2 Network Switched Service****3.2.1 General**

Network Switched Service is provided via one or more channels terminated at the Customer's premises. Each Network Switched Service channel corresponds to one or more analog, voice-grade telephonic communications channels that can be used to place or receive one call at a time.

Network Switched Service provides a Customer with a connection to the Company's switching network which enables the Customer to:

- a) receive calls from other stations on the public switched telephone network;
- b) access the Company's local calling service;
- c) access the Company's operators and business office for service related assistance; access toll-free telecommunications services such as 800 NPA; and access 911 service for emergency calling; and
- d) access the service of providers of interexchange service. A Customer may presubscribe to such provider's service to originate calls on a direct dialed basis or to receive toll-free service from such provider, or may access a provider on an ad hoc basis by dialing the provider's Carrier Identification Code (such as 10XXX or 101XXXX).

Basic Business or Residential Access Lines are provided for connection of Customer-provided single-line terminal equipment such as station sets or facsimile machines. A nonrecurring service connection charge applies to each new access line installation and monthly recurring charge applies per access line.

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**SECTION 3 - BASIC SERVICE DESCRIPTION AND RATES****3.2 Network Switched Service****3.2.2 Classes of Service****A. Flat Rate Service**

Monthly exchange rates for flat rate service entitle Customers to an unlimited number of messages to all exchange access lines bearing the designation of central offices within the serving exchange.

**B. (Optional) Message Rate Service**

Monthly exchange rates for message rate service entitle Customers to a message allowance where there is no incremental charge per message up to and including the monthly message allowance. Messages in excess of the monthly message allowance are billed on a per call basis. Messages in excess of the monthly message allowance are \$0.10 and \$0.12 per message for Residential lines and Business lines, respectively. The monthly message allowance is 30 and 75 messages for Residential lines and Business lines, respectively.

**C. (Optional) Vacation Service or Customer Requested Temporary Suspension of Service**

Vacation service allows Customers to temporarily suspend service for a minimum of one month and up to a maximum of six months. The monthly charge for this service is 50% of the normal monthly rate regularly charged to Customers that subscribe to either flat rate or message rate service in local exchange company areas. The monthly charge for this service is 50% of the normal monthly rate regularly charged to Customers that subscribe to flat rate service in local exchange company areas. The monthly charge for this service is 72% of the normal monthly rate regularly charged to Customers that subscribe to message rate service in local exchange company areas.

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100 Rowland Way, Suite 145  
Novato, CA 94945

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**SECTION 3 - BASIC SERVICE DESCRIPTION AND RATES****3.3 Extended Area Dialing Plans**

Extended Area Dialing Plans allow Customers to extend their basic exchange service to include adjacent exchanges within a certain mile radius to be included on a calling plan.

- A. Extended Calling Service (ECS) provides usage based pricing for Customer dialed or operator assisted calls to selected exchanges within the Customer's LATA. Residential Customers are billed a message charge. Business Customers are billed a per minute charge. Residential Customers are billed \$0.25 per message. Business Customers are billed \$0.10 for the first minute or fraction thereof and \$0.06 for each additional minute or fraction thereof. Specific available routes are found in (Bellsouth's and GTE's General Subscriber Service Tariff.**
- B. Optional Extended Local Calling (OELC) permits exchange Customers to place and receive unlimited toll-free calls to and from the selected exchange which is outside the Customer's normal local calling area for a flat monthly rate in addition to the applicable monthly local exchange rate. Customers who subscribe to OELC are entitled to one listing in the selected exchange directory at no charge. The directory listing will contain sufficient wording in each exchange's directory to advise callers that the OELC Customer can be called toll-free. Specific available routes and calling plan rates are found in (name each LEC's) General Subscriber Service Tariff.**

**3.4 Calling Features**

Customers of the Company's Access Line, Trunk Service, or Centrex arrangements may obtain central office based functions which are auxiliary to call processing. The availability of these features are dependent upon the central office which services the Customer's location.

The features in this section are made available on an individual basis or as part of multiple feature packages. All features are provided subject to availability; features may not be available with all classes of service. Transmission levels may not be sufficient in all cases.

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**SECTION 3 - BASIC SERVICE DESCRIPTION AND RATES**

**3.5 Payment of Calls**

**3.5.1 Late Payment Charges**

Interest charges of 1.5% per month will be assessed on all unpaid balances more than thirty days old.

**3.5.2 Return Check Charges**

A return check charge of \$25.00 will be assessed for checks returned for insufficient funds if the face value does not exceed \$50.00, \$30.00 if the face value does exceed \$50.00 but does not exceed \$300.00, \$40.00 if the face value exceeds \$300.00 or 5% of the value of the check, which ever is greater.

**3.6 Restoration of Service**

A reconnection fee of \$25.00 per occurrence is charged when service is re-established for customers who had been disconnected for non-payment.

**3.7 Emergency Call Exemptions**

The following calls are exempted from all charges: Emergency calls to recognizable authorized civil agencies, including police, fire, ambulance, bomb squad and poison control. MVX.COM Communications, Inc., will only handle these calls if the caller dials all of the digits to route and bill the call. Credit will be given for any billed charges pursuant to this exemption on a subsequent bill after verified notification by the billed Customer within thirty (30) days of billing.

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By:

Edward A. Brinskele, President  
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**SECTION 3 - BASIC SERVICE DESCRIPTION AND RATES****3.8 Monthly Recurring Charges****3.8.1 A. Local Exchange Company #1 Area**

<u>Service Type</u>	<u>Rates</u>
Residential Flat Rate	\$ 6.47
Residential Message Rate Up to 30 Call Allowance	3.00
Per Call, past the 30 Call Allowance	0.10
Residential Rotary, Flat Rate	9.98
Business, Flat Rate	15.20
Business Message Rate	N/A
Business Rotary, Flat Rate	23.27

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SECTION 3 - BASIC SERVICE DESCRIPTION AND RATES

3.8.2 B. Local Exchange Company #2 Area - Rate Groups 1-6 (BellSouth Only)

<u>Service Type</u>	<u>Rate Groups 1-6</u>					
	1	2	3	4	5	6
Residential Flat Rate	\$ 7.30	\$ 7.70	\$ 8.10	\$ 8.40	\$ 8.80	\$ 9.15
Residential Message Rate Up to 30 Call Allowance	4.38	4.62	4.86	5.04	5.28	5.49
Per Call, past the 30 Call Allowance	0.10	0.10	0.10	0.10	0.10	0.10
Residential Rotary, add't per line	3.65	3.85	4.05	4.20	4.40	4.58
Business, Flat Rate	19.80	20.80	21.90	22.90	23.85	24.90
Business Message Rate Up to 75 Call Allowance	14.71	15.46	16.29	17.04	17.75	18.54
Per Call, past the 75 Call Allowance	0.12	0.12	0.12	0.12	0.12	0.12
Business Rotary, add'l per line	6.50	6.83	7.19	7.52	7.83	8.17

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By:

J. T. Bogus, President  
 101 East Money Street  
 Tallahassee, FL 32301

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SECTION 3 - BASIC SERVICE DESCRIPTION AND RATES

3.8.2 B. Local Exchange Company #2 cont.- Rate Groups 7-12 (BellSouth Only)

<u>Service Type</u>	<u>Rate Groups 7-12</u>					
	7	8	9	10	11	12
Residential Flat Rate	\$ 9.50	\$ 9.80	\$10.05	\$10.30	\$10.45	\$10.65
Residential Message Rate Up to 30 Call Allowance	5.70	5.88	6.03	6.18	6.27	6.39
Per Call, past the 30 Call Allowance	0.10	0.10	0.10	0.10	0.10	0.10
Residential Rotary, add't per line	4.75	4.90	5.03	5.15	5.23	5.33
Business, Flat Rate	25.75	26.60	27.40	28.00	28.60	29.10
Business Message Rate Up to 75 Call Allowance	19.18	19.81	20.41	20.86	21.31	21.69
Per Call, past the 75 Call Allowance	0.12	0.12	0.12	0.12	0.12	0.12
Business Rotary, add'l per line	8.45	8.73	9.00	9.19	9.39	9.55

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SECTION 3 - BASIC SERVICE DESCRIPTION AND RATES

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By:

J. T. Bogus, President  
101 East Money Street  
Tallahassee, FL 32301

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3.9 Monthly Recurring Charges

(A) Residential Service, per line

	LEC #1 Areas	LEC #2 Areas
Touch Tone	\$ 1.00	n/c
FCC Charge	3.50	3.50
Hearing and Speech Surcharge	0.12	0.12

(B) Business Service, per line

	LEC #1 Areas	LEC #2 Areas
Touch Tone	\$ 1.00	n/c
FCC Charge	3.50	3.50
Hearing and Speech Surcharge	0.12	0.12

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EFFECTIVE: \_\_\_\_\_

By:

J. T. Bogus, President  
101 East Money Street  
Tallahassee, FL 32301

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**SECTION 4 - MISCELLANEOUS SERVICES**

**4.1 Directory Assistance**

There is no charge for the first three calls per month to Directory Assistance. The Customer can request a maximum of two numbers per call to Directory Assistance. Call completion service is provided when the Customer requests that the Directory Assistance operator call the Directory Assistance number requested. All completed calls will be charged the Directory Assistance Call Completion charge, in addition to any other appropriate charges. The service charges for each service are noted below:

	LEC #1 Areas	LEC #2 Areas
A. Directory Assistance	\$ 0.40	\$ 0.25
B. Directory Assistance Call Completion	0.40	0.30

**4.2 Directory Listings**

One listing, termed the initial listing, is included with each Customer's service. Additional listings are confined to the names of those who are entitled to use the Customer's service. Telephone numbers of non-published service are not listed in the Telephone Company's directories or on directory assistance records. Listing information (name, address and number) on non-published service is not available to the general public, notwithstanding any claim of emergency the calling party may present. Telephone numbers of non-directory listed service are omitted or deleted from the Company's alphabetical directory, however, they are carried in the Company's directory assistance and other records and are given to any calling party. The charges listed below are monthly charges and are the same for both Residence or Business Customers.

	LEC #1 Areas	LEC #2 Areas
A. Non-Published Number, per line	\$ 2.35	\$ 1.75
B. Non-Listed Number, per line	1.00	0.80
C. Additional Listing, per listing	1.25	1.20

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**SECTION 4 - MISCELLANEOUS SERVICES**

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By:

J. T. Bogus, President  
101 East Money Street  
Tallahassee, FL 32301

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4.3 **Local Operator Services**

A per-call service charge applies in addition to the per minute usage rates when applicable. The service charge applies in all rate periods and is as follows:

	LEC #1 Areas	LEC #2 Areas
A. Customer Dialed Calling Card	\$ 0.75	\$ 0.75
B. Station to Station operator assisted, collect, third party	1.00	1.00
C. Person-to-Person operator assisted local call	2.50	2.50
D. Operator Busy Verification	0.95	0.35
E. Operator Emergency Interruption	0.45	0.40

4.4 **Special Construction**

Where the Company furnishes a facility service for which a rate or charge is not specified in the Company's Price List, charges will be based on the costs incurred by the Company (including return) and may include:

- a) nonrecurring charges;
- b) recurring charges;
- c) termination liabilities; or
- d) combinations of (a), (b), and (c).

4.5 **Non-Routine Installation and/or Maintenance**

At the Customer's request, installation and/or maintenance **may** be performed outside the Company's regular business hours, or (in the Company's sole discretion and subject to any conditions it may impose) in hazardous locations. In such cases, charges based on the cost of labor, material and other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays, and/or night hours, additional charges may apply.

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ISSUED: January 1, 1998

EFFECTIVE: \_\_\_\_\_

By:

J. T. Bogus, President  
101 East Money Street  
Tallahassee, FL 32301