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December 10, 1999

**VIA OVERNIGHT DELIVERY**

Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RECEIVED  
FLORIDA PUBLIC  
SERVICE COMMISSION  
99 DEC 13 AM 10:53  
MAIL ROOM

991878-TX

Re: Application of Broadband Office Communications, Inc. for a Certificate of Authority to Provide Local Exchange Service ("Application")

Dear Sir or Madam:

Enclosed are the original and seven (7) copies of the Application. Please file the Application in your usual fashion and return one (1) file-stamped copy to us in the enclosed envelope.

Also enclosed is a check in the amount of \$250.00 to cover the cost of filing the Application.

If you have any questions or comments, please call the undersigned.

Sincerely,

*Charles A. Hudak*  
Charles A. Hudak

CAH/jh

Enc.

cc: Kristin L. Smith, Esq.  
Blumenfeld & Cohen  
(with enclosure)

Check received with filing and forwarded to file for 991878-TX.  
Initials of person who forwarded check:  
AA

DOCUMENT NUMBER-DATE

15176 DEC 13 99

FPSC-RECORDS/REPORTING

**APPLICATION OF BROADBAND OFFICE COMMUNICATIONS, INC.  
FOR AUTHORITY TO PROVIDE LOCAL EXCHANGE SERVICE  
WITHIN THE STATE OF FLORIDA**

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

- Original Authority (New company).
- Approval of Transfer (To another certificated company).  
*Example*, a non-certificated company purchases an existing company and desires to retain the original certificate of authority.
- Approval of Assignment of existing certificate (To a noncertificated company).  
*Example*, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.
- 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 company

**BroadBand Office Communications, Inc.**

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

**Not Applicable.**

4. Official mailing address (including street name, number, post office box, city, state, zip code and phone number):

**BroadBand Office Communications, Inc.  
2070 Chain Bridge Road, Suite G-99  
Vienna, Virginia 22182  
Tel: (703) 748-9883  
Fax: (703) 748-3245**

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

**Applicant does not maintain, and does not intend to maintain, an office in the State of Florida. Applicant's registered agent and address for service of process in the State of Florida is:**

**BroadBand Office Communications, Inc.  
c/o CT Corporation System  
1200 S. Pine Island Rd.  
Plantation, FL 33324  
Tel.: (954) 473-5503**

DOCUMENT NUMBER-DATE

15176 DEC 13 88

FPSC-RECORDS/REPORTING

6. Structure of organization;

- |   |  |
|---|--|
| <input type="checkbox"/> Individual                     | <input type="checkbox"/> Corporation         |
| <input checked="" type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership            | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Other _____                    |  |

7. If Individual, provide: **Not Applicable.**

Name:

Title:

Address:

City/State/Zip:

Telephone No.:

Fax No.:

Internet E-Mail Address:

Internet Website Address:

8. If incorporated in Florida, provide proof of authority to operate in Florida:

(a) The Florida Secretary of State corporate registration number:

**Not Applicable.**

9. If foreign corporation, provide proof of authority to operate in Florida:

(a) The Florida Secretary of State corporate registration number:

**Applicant's Florida Secretary of State corporate registration number is:**

**F99000006029**

**In addition, Applicant's Certificate of Authority to Transact Business in the State of Florida is attached hereto at Exhibit "A".**

10. If using fictitious name-d/b/a, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:

(a) The Florida Secretary of State fictitious name registration number:

**Not Applicable.**

11. If a limited liability partnership, provide proof of registration to operate in Florida

(a) The Florida Secretary of State registration number:

**Not Applicable.**

12. If a partnership, provide name, title and address of all partners and a copy of the partnership agreement. **Not Applicable.**

Name:

Title:

Address:

City/State/Zip:

Telephone No.:

Fax No.:

Internet E-Mail Address:

Internet Website Address:

13. If a foreign limited partnership, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) The Florida registration number:

**Not Applicable.**

14. Provide F.E.I. Number, (if applicable)

**Applicant's Federal Employer Identification Number is 94-332-9031.**

15. Indicate if any of the officers, directors, 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. Provide explanation.

**None of Applicant's officers, directors, or stockholders has been adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime. Further, no such proceedings are pending against any of Applicant's officers, directors, or stockholders.**

(b) an 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 of Applicant's officers, directors, or stockholders is currently an officer, director, partner or stockholder in any other Florida certificated telephone company. However, certain of Applicant's officers and directors previously have been employed by Florida certificated telephone companies, as described at Exhibit "C".**

16. Who will serve as liaison to the Commission with regard to the following?

(a) The application:

**Charles A. Hudak, Esq.  
Michael K. Stewart, Esq.  
Gerry, Friend & Sapronov, LLP  
Three Ravinia Drive, Suite 1450  
Atlanta, Georgia 30346-2131  
Tel: (770) 399-9500  
Fax: (770) 395-0000**

**and**

**Jeffrey Blumenfeld, Esq.  
Kristin L. Smith, Esq.  
Blumenfeld & Cohen  
1625 Massachusetts Avenue, N.W., Suite 300  
Washington, D.C. 20036  
Tel: (202) 955-6300  
Fax: (202) 955-6460**

(b) Official point of contact for the ongoing operations of the company:

**Woody Traylor  
Vice President of Regulatory Affairs and Secretary  
BroadBand Office Communications, Inc.  
2070 Chain Bridge Road, Suite G-99  
Vienna, Virginia 22182  
Tel: (703) 748-9883  
Fax: (703) 748-3245**

- (c) Complaints/Inquiries from customers:

**Woody Traylor**  
**Vice President of Regulatory Affairs and Secretary**  
**BroadBand Office Communications, Inc.**  
**2070 Chain Bridge Road, Suite G-99**  
**Vienna, Virginia 22182**  
**Tel: (703) 748-9883**  
**Fax: (703) 748-3245**

17. List the states in which applicant:

- (a) has operated as an alternative local exchange company

**At this time, Applicant is not providing alternative local exchange services in any state.**

- (b) has applications pending to be certificated as an alternative local exchange company

**Applicant has applied, or is in the process of applying, for certification to provide alternative local exchange services in the states of Arizona, California, Colorado, Connecticut, Georgia, Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Tennessee and Texas.**

- (c) is certificated to operate as an alternative local exchange company

**Applicant is not yet certificated to operate as an alternative local exchange company in any state.**

- (d) has been denied authority to operate as an alternative local exchange company and the circumstances involved

**Applicant has not been denied authorization to operate as an alternative local exchange company in any state.**

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

**Applicant has not been assessed regulatory penalties for violations of any state or federal telecommunications statutes.**

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

**Applicant has not been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity.**

18. Submit the following:

**A. Financial capability.**

The application should contain the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer affirming that the financial statements are true and correct and should include:

1. the balance sheet;
2. income statement; and
3. statement of retained earnings.

**Applicant, a newly-created alternative local exchange carrier, has not yet prepared its own financial statements. However, Applicant has the assurance of its parent, BroadBand Office, Inc. ("BroadBand Office"), that Applicant will be provided with all financial resources necessary to operate in a continuous and reliable manner. Applicant will submit to the Commission financial information regarding BroadBand Office, which further demonstrates Applicant's ability to provide the services proposed herein, under trade secret protection.**

*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.*

Further, the following (which includes supporting documentation) should be provided:

1. written explanation that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.

**Applicant intends to file financial information regarding its parent, BroadBand Office, in order to demonstrate Applicant's ability to provide the services proposed herein, under trade secret protection.**

2. written explanation that the applicant has sufficient financial capability to maintain the requested service.

**Applicant intends to file financial information regarding its parent, BroadBand Office, in order to demonstrate Applicant's ability to provide the services proposed herein, under trade secret protection.**

3. written explanation that the applicant has sufficient financial capability to meet its lease or ownership obligations.

**Applicant intends to file financial information regarding its parent, BroadBand Office, in order to demonstrate Applicant's ability to provide the services proposed herein, under trade secret protection.**

- B.** Managerial capability; give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

**A summary of Applicant's Managerial and Technical Qualifications is attached hereto at Exhibit "C".**

- C.** Technical capability; give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

**A summary of Applicant's Managerial and Technical Qualifications is attached hereto at Exhibit "C".**



**AFFIDAVIT**

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in the foregoing 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 **BroadBand Office Communications, Inc.** and agree that the company will 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".

**BROADBAND OFFICE COMMUNICATIONS, INC.**

*Woody Traylor*

\_\_\_\_\_  
**Woody Traylor**  
**Vice President of Regulatory Affairs**  
**and Secretary**

Sworn to before me this 9<sup>th</sup>  
day of December, 1999.

  
\_\_\_\_\_  
Notary Public Lori L. Myers

My Commission expires: June 30, 2001

**EXHIBIT "A"**

**APPLICANT'S CERTIFICATE OF AUTHORITY  
TO TRANSACT BUSINESS IN FLORIDA**

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the application by BROADBAND OFFICE COMMUNICATIONS, INC., a Delaware corporation, authorized to transact business within the State of Florida on November 19, 1999 as shown by the records of this office.

The document number of this corporation is F99000006029.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Nineteenth day of November, 1999



CR2EO22 (1-99)

*Katherine Harris*

Katherine Harris  
Secretary of State

## **EXHIBIT "B"**

### **FINANCIAL QUALIFICATIONS**

Applicant, a newly-created alternative local exchange carrier, has not yet prepared its own financial statements. However, Applicant has the assurance of its parent, BroadBand Office, Inc. ("BroadBand Office"), that Applicant will be provided with all financial resources necessary to operate in a continuous and reliable manner. The primary source of funding for BroadBand Office is investments by private and institutional investors. Applicant will submit to the Commission, under trade secret protection, financial information regarding BroadBand Office, which demonstrates Applicant's ability (i) to provide local exchange telecommunications services throughout the State of Florida, (ii) to maintain its provision of local exchange telecommunications services throughout the State of Florida, and (iii) to meet its lease or ownership obligations.

**The financial statements of BroadBand Office, Inc. constitute proprietary business information within the meaning of Florida Statute 364.183(1). Accordingly, Applicant has requested confidential treatment for such information pursuant to Florida Statute 364.183(1) and Section 25-22.006(5)(a) of the Florida Public Service Commission's Rules.**

## EXHIBIT "C"

### **MANAGERIAL AND TECHNICAL QUALIFICATIONS**

Applicant's management team possesses the necessary technical and managerial ability to provide facilities-based and resold intrastate, local exchange, voice and data communications services. Applicant's key personnel, along with a description of their technical and managerial capabilities, are attached hereto.

**SENIOR MANAGEMENT TEAM OF  
BROADBAND OFFICE COMMUNICATIONS, INC.**

**Johnson Agobua - President**

As President of BroadBand Office Communications, Inc., Johnson Agobua will use his 10 years of management experience to make the company a leading telecommunications service provider.

Johnson Agobua also currently serves as Vice President of Engineering at BroadBand Office, Inc., a Kleiner, Perkins, Caufield and Byers funded company. Mr. Agobua is responsible for the overall product development, infrastructure engineering for Internet, voice, video, advanced data, applications and web hosting. Mr. Agobua is also currently responsible for BroadBand Office east coast operations, including field operations and overall network services support.

Prior to BroadBand Office, Inc., Mr. Agobua served as Director of Global Network Engineering and Architecture at UUNET, an MCI WorldCom Company. In that capacity, he led the engineering effort that converted UUNET's network from a sparse T1/T3 infrastructure into the largest commercial Internet backbones in the world. His group made many significant innovations in Internet network architecture and the advancement of Multiprotocol Label Switching (MPLS). They were also the acknowledged industry leaders in Internet traffic engineering. He joined UUNET in 1996 with responsibility for both Network Engineering and Network/Systems Management. Mr. Agobua was also responsible for the development of the early distributed network and systems management platform at UUNET.

Before joining UUNET in February of 1996, Mr. Agobua served as Vice President of Advanced Network Engineering and Technology in the Business Technology Organization at Salomon Inc. (now Salomon Smith Barney). At Salomon Inc., Mr. Agobua was responsible for development of the trading floor networks and campus ATM infrastructure. Prior to Salomon, Inc., he was a member of technical staff at AT&T, where he worked on a number of projects including: AT&T's Global IP network, Wideband Packet Technology requirements, Network Management infrastructure for AT&T's internal IP and Asynchronous networks.

Johnson Agobua received his B.S. in Electrical Computer Engineering from Drexel University in 1988.

**Woody Traylor - Vice President of Regulatory Affairs and Secretary**

Woody Traylor currently serves as the Vice President of Regulatory Affairs and Secretary of BroadBand Office Communications, Inc. With 29 years of telecommunications experience, Mr. Traylor will direct the company on state and federal regulatory and public policy issues.

Before he joined BroadBand Office Communications, Inc., Mr. Traylor was the Director of Numbering Policy and Administration at MCI WorldCom. In 1990, Mr. Traylor joined WorldCom as executive staff in the management and representation of MCI's interests in national industry standards in the areas of network interconnection, signaling standards, and numbering issues. Prior to joining BroadBand Office Communications, Inc., he served as MCI's primary technical advocate

## **SENIOR MANAGEMENT TEAM (cont'd.)**

and policy counsel in the areas of numbering, including Local Number Portability advocacy, NPA relief positions and number conservation matters.

Prior to joining MCI WorldCom in April of 1990, Mr. Traylor spent seven years with Bell Atlantic. Initially, Mr. Traylor performed Outside Plant Planning functions for the Virginia Beach area, where he was instrumental in the initial fiber loop feeder deployment in Virginia. From 1987 to 1990, he served on Corporate staff in Technology Planning representing Bell Atlantic in national forums in areas of network interconnection and SS7 deployment issues. From December of 1979 to July of 1983, Mr. Traylor was an independent Financial Planner responsible for designing and marketing employee benefit plans and individual plans for several closely-held Corporations and Professional Corporations.

Mr. Traylor also worked for the C&P Telephone Company of Virginia from June of 1970 to November of 1979. He served in numerous positions including Network Administration staff responsible for administrative support for Electro-Mechanical switching systems; Personnel Assessment to determine appropriateness and readiness of candidates for promotion into management for the company; and Trunk Servicing/Administration and DDD completion results for the western portion of Virginia.

Woody Traylor received BS degrees in Mathematics, Sociology and Physics from University of Richmond in 1971. He also holds his MS in Demography and Statistics from Florida State University in 1973.

### **A. Martin Hakim Din - Director of Operations**

A. Martin Hakim Din brings 9 years of telecommunications experience in operations, implementation and engineering in an Internet environment. Since 1994, he has served in both a technical and managerial role through the design, implementation and operation of the global internet backbone of UUNet Technologies, an MCI WorldCom Company, a leading global provider of Internet communications services.

Mr. Hakim Din built and operated the UUNET DS3 network, created and managed the UUNET internet operations escalation team, and developed new customer architectures. During his time in UUNET Network Operations, he had oversight responsibility for all new technology approval, maintenance, problem management, subject matter expertise, and vendor relations.

Mr. Hakim Din holds a B.S. in Physics from the College of William and Mary.

### **Charles Meyer - Director of Construction & Technology Installation**

After twelve years in the technology & telecommunications industries, Charles Meyers will contribute to the designing and building of the hi-tech centers and infrastructure systems to develop the BroadBand Office Communications, Inc. network.



## **SENIOR MANAGEMENT TEAM (cont'd.)**

Prior to joining BroadBand Office, Mr. Meyer was a Senior Manager at UUNet Technologies, an MCI WorldCom Company, for several years. He was responsible for overseeing the technology & infrastructure installations at their new world headquarters in Loudoun County, Virginia.

Mr. Meyer also spent nine years with Salomon Brothers Inc., where he served in varying capacities. His position at Salomon Brothers included telecommunications roles regarding the design, build, renovation, and relocation of branch offices in the U.S, Canada, and Mexico. Mr. Meyer served as a project manager for construction activities at Merck-Medco and Cantor Fitzgerald.

Charles Meyer received his training in the computer sciences from Seton Hall University. Mr. Meyer is a member of the Loudoun County Telecommunications Committee and sits on the Board of Directors for the Mid-Atlantic Chapter of the 7X24 Exchange Association.

### **William W. Barns - Director of Infrastructure Engineering**

William W. Barns has over 23 years experience in the development of packet-based networks in both the private and public sectors. Prior to joining BroadBand Office, he was Director of Technology and Standards for UUNet Technologies, an MCI WorldCom Company, a leading global provider of Internet communications services. At UUNET he was responsible for network architecture standards, emerging technologies evaluations, and strategic development of network expansions to accommodate massive growth of IP-based services. He was a key architect and designer of several generations of the UUNET global backbone network.

Before joining UUNET in 1995, William Barns was with The MITRE Corporation from 1988 to 1995. He led the network design group in the Networking Technical Center, which provided consulting services to several major U.S. Government network projects, including the Defense Information Systems Network and the FAA's Aeronautical Telecommunications Network.

From 1976 to 1988, Mr. Barns held a variety of engineering and technical management positions with the U.S. Air Force, Electronic Data Systems Corporation, Tymshare/Tymnet, and McDonnell Douglas Corporation.

Mr. Barns holds a BS in Statistics and Computer Science from the George Washington University.

### **Kenneth R. Frank - Director of Product Development**

As the Director of Product Development and Engineering, Kenneth R. Frank will be responsible for project management and development of BroadBand Office Communications, Inc.'s voice services. Mr. Frank will develop the technical architecture and implement the advanced data networking services.

Prior to joining BroadBand Office Communications, Inc., Mr. Frank served six years with BellSouth Science and Technology in various technical management positions. He began at BellSouth in 1993

### **SENIOR MANAGEMENT TEAM (cont'd.)**

as technical staff in Advanced Network Architecture where he was responsible for developing service concepts and architecture strategies.

In January of 1997, Mr. Frank became Director of Advanced Data Networking at BellSouth. As Director, he managed ADSL and IP Telephony technology planning and implementation, provided lead architecture support for the ADSL architecture and deployment activities, and represented BellSouth in the industry's Splitterless ADSL Special Interest Group (SIG). The SIG was initiated by Microsoft, Intel, and Compaq to focus on achieving mass consumer acceptance of high-speed data access utilizing ADSL technology.

Finally, Mr. Frank served as the Director of Advanced Network Architecture and Concepts at BellSouth. In this role, he provided strategic planning support for data networking initiatives and managed the technical data strategy group. Mr. Frank also was responsible for the technical architecture, vendor analyses and implementation support for all advanced data services, including Voice/ATM (line and trunk) implementations, state government architectures, video conferencing, Fast Packet services (ATM and Frame Relay), IP/ATM technologies, ADSL and FTTC access systems. Mr. Frank was selected in 1997 to the BellSouth Leadership Development Program. Before joining BellSouth, Mr. Frank worked as technical staff in 5ESS Systems Engineering at AT&T Bell Laboratories from 1989 to 1993, where he co-authored 5ESS Switch Advanced Intelligent Network R0.1 Feature Specification Document and was selected to Bell Laboratories' Leadership Continuity Program.


Kenneth Frank received his B.S. in Computer Science from University of Southern California in 1989. Mr. Frank has also obtained two M.S. degrees: one in computer science from Stanford University in 1990, and the other in business administration from Emory University in 1998.

**EXHIBIT "D"**

**FLORIDA PRICE LIST**

Applicant will file a price list with the Florida Public Service Commission at least one day prior to Applicant initiating operations in Florida.

**BROADBAND OFFICE COMMUNICATIONS, INC.**

A handwritten signature in cursive script, appearing to read "Woody Traylor", is written over a horizontal line.

**Woody Traylor**  
**Vice President of Regulatory Affairs**  
**and Secretary**