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December 15, 1999

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

**Re: PNG Telecommunications, Inc.
Application for Authority to Provide
Alternative Local Exchange Service**

Dear Sir or Madam:

991992-TX

Please find enclosed an original and seven copies each of the Application of PNG Telecommunications, Inc. for Authority to provide Alternative Local Exchange Service within the State of Florida and Request for Confidential Treatment of Applicant's Financial Documents along with a check for \$250.00 for the filing fee. Please return one file-stamped copy each of the Application and the Request in the self-addressed, postage paid envelope enclosed. Thank you for your attention to this matter.

Very truly yours,



Dennis M. Packer

DMP/dp
encl.

cc: Todd Pfister, PNG

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
99 DEC 22 AM 8:38
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Initials of person who forwarded check:

DP

DOCUMENT NUMBER-DATE

15633 DEC 22 99

FPSC-RECORDS/REPORTING

APPLICATION

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

Original certificate (new company).

991992-TX

Approval of transfer of existing certificate: Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority.

Approval of assignment of existing certificate: Example, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.

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

2. Name of company:

PNG Telecommunications, Inc.

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

PowerNet Global Communications

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

4839 Business Center Way

Cincinnati, Ohio 45246

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

Applicant does not maintain an office in Florida. Its registered

agent in Florida is CT Corporation System, 1200 S. Pine Island Rd.,

Plantation, Florida 33324.

6. Structure of organization:

- Individual Corporation
 Foreign Corporation Foreign Partnership
 General Partnership Limited Partnership
 Other _____

7. **If individual**, provide:

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:**

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

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

The Florida Secretary of State has registered Applicant's
foreign corporation registration as F95000000048.

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:**

Applicant has filed for use of a a fictitious name but has
not received confirmation from the Secretary of State yet.

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

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

12. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

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:** _____

14. Provide **F.E.I. Number**(if applicable): 31-1358624

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.**

No officer, director or any of the ten largest shareholders have ever been so adjudged or found guilty pf any felony nor will such actions result from pending proceedings.

(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.

No officer or director nor any of the ten largest shareholders is or has

been a stockholder in any other Florida certificated telephone company.

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

(a) The application:

Name: Dennis M. Packer

Title: Counsel

Address: 4555 Lake Forest Drive, 650 Westlake Center

City/State/Zip: Cincinnati, Ohio 45242

Telephone No.: (513)563-3090 **Fax No.:** (513)563-3011

Internet E-Mail Address: DPLawyer@aol.com

Internet Website Address: None

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

Name: Stacy Lewis

Title: Tax Manager

Address: PNG Telecommunications, Inc., 4839 Business Center Way

City/State/Zip: Cincinnati, Ohio 45246

Telephone No.: (513)942-7900, ext. 215 **Fax No.:** (513)942-5579

Internet E-Mail Address: SLewis@pngcom.com

Internet Website Address: www.pngcom.com

(c) Complaints/Inquiries from customers:

Name: LeeAnn Gentry

Title: Customer Service Manager

Address: PNG Telecommunications, Inc., 4839 Business Center Way

City/State/Zip: Cincinnati, Ohio 45246

Telephone No.: (513)942-7900 **Fax No.:** (513)942-5579
ext. 216

Internet E-Mail Address: leeann@pngcom.com

Internet Website Address: www.pngcom.com

17. List the states in which the applicant:

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

Applicant currently is not operating as an Alternative Local Exchange Company in any state but is preparing to commence operations in Ohio, Indiana, Illinois and Wisconsin.

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

Applicant has an application pending to be certified as an Alternative Local Exchange Company in California.

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

Applicant is certificated to operate as an alternative local exchange company in Ohio, Illinois, Indiana and Wisconsin.

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

Applicant has never been denied authority to operate as an alternative local exchange company.

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

Applicant has never had regulatory penalties imposed for violations of 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 never been involved in a civil court proceeding with an interexchange company, local exchange company or other telecommunications entity

18. Submit the following:

- A. Financial capability. Applicant's documentation of its financial capability is filed under seal and is attached to the accompanying motion for protective order. 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.

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.
2. **written explanation** that the applicant has sufficient financial capability to maintain the requested service.
3. **written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.

See Exhibit A

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

See Exhibit B


- 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.

As a non-facilities-based reseller, Applicant will rely primarily on the incumbent LEC for technical expertise and maintenance.

**** 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 gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

UTILITY OFFICIAL:

	<u>12-14-99</u>
Signature	Date
President	(513)942-7900 ext. 300
Title	Telephone No.
Address: PNG Telecommunications, Inc.	(513)942-5579
	Fax No.
4839 Business Center Way	
Cincinnati, Ohio 45246	

ATTACHMENTS:

- A - CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT
- B - INTRASTATE NETWORK
- C - AFFIDAVIT

Applicant is applying for an original certificate (See question 1). This Appendix is not applicable.

**** APPENDIX A ****

CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT

I, (Name) _____,

(Title) _____ of (Name of Company)

_____ and current holder of Florida Public Service Commission Certificate Number # _____

_____, have reviewed this application and join in the petitioner's request for a:

() sale

() transfer

() assignment

of the above-mentioned certificate.

UTILITY OFFICIAL:

Signature

Date

Title

Telephone No.

Address:

Fax No.

**** APPENDIX B ****

INTRASTATE NETWORK (if available)

Chapter 25-24.825 (5), Florida Administrative Code, requires the company to make available to staff the alternative local exchange service areas only upon request. Applicant will not utilize its own facilities but rather those of incumbent LECs. This Appendix is not applicable.

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

1) _____	2) _____
_____	_____
3) _____	4) _____
_____	_____

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

1) _____	2) _____
_____	_____
3) _____	4) _____
_____	_____

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

<u>POP-to-POP</u>	<u>OWNERSHIP</u>
1) _____	_____
2) _____	_____
3) _____	_____
4) _____	_____

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 company 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."

UTILITY OFFICIAL:


	<u>12-14-99</u>
Signature	Date
President	(513)942-7900 ext. 300
Title	Telephone No.
Address: PNG Telecommunications, Inc.	(513)942-5579
4839 Business Center Way	Fax No.
Cincinnati, Ohio 45246	

EXHIBIT A
FINANCIAL DOCUMENTATION

This information is filed under seal. A Request for Confidential Treatment of this information is being filed concurrently with this Application.

EXHIBIT B
MANAGERIAL CAPABILITY
BIOGRAPHICAL INFORMATION

EXHIBIT B
Managerial Experience

PNG's officers and managers have ample managerial expertise and telecommunications industry experience for the provision of the services proposed herein. PNG's management personnel include the following:

Bernie Stevens, President

Bernie Stevens has been involved in the telecommunications industry from the last decade and is the founder of PNG Telecommunications, Inc. Recognizing the opportunities provided by the growing market for resold long distance services, Mr. Stevens founded PNG in 1992.

Prior to his experience in the telecommunications industry, he served as president and general manager of an electronics distribution company. Mr. Stevens has also served as general and sales manager of various consumer electronics companies in the Midwest and California. Mr. Stevens has a wide range of experience including turnaround and sales management.

Mr. Stevens has developed PNG and now serves as its President. His duties are to direct and manage the overall operations of PNG. Mr. Stevens provides strategic and operational guidance and appraises the effectiveness of the organization. He also negotiates agreements with underlying carriers and is responsible for developing new service offerings.

Mr. Stevens is a member of the Telecommunications Resellers Association.

Todd C. Pfister, Chief Operations Officer

Todd Pfister is PNG's Chief Operations Officer and joined the company in 1999.

Mr. Pfister is responsible for the overall management of the day-to-day operations of PNG. Mr. Pfister coordinates the activities of the company's seven divisions to achieve the objectives set by PNG's board of directors and its President.

Before joining PNG, Mr. Pfister was Vice President of The Lumley Group, Inc., a regional financial and management consulting firm providing financial management and business advice for closely-held businesses. He has a BA in Business Administration from Taylor University and an MBA from Xavier University.

Lee Ann Gentry, Manager, Customer Service

Lee Ann Gentry has more than 17 years of experience in the customer service field. She has overseen the rapid expansion of PNG's Customer Service Department required by the company's accelerated growth over the past two years. Ms. Gentry is personally responsible for the trebling of PNG's customer service staff, expanded customer service hours and the design and implementation of efficient and customer-friendly policies. Both Ms. Gentry and her staff have been repeatedly praised by customers because of their dedication to customer satisfaction.

Ms. Gentry has been with PNG since October of 1996. She attained her current position of Customer Service Manager in 1997. Prior to joining PNG, she was a customer service representative at Wright-Bernet, and Steel Abrasives, both makers of industrial products and at Spaulding Lighting.

Under Ms. Gentry's management, PNG's customer service department has tripled in size to meet the needs of PNG's rapidly growing interexchange customer base. All new PNG customer service representatives undergo an extensive training course designed by Ms. Gentry before they are allowed to answer customer calls.

Larry Moses, Executive Vice President

Mr. Moses has been involved in the sales, marketing and financing activities of several areas of business. He has successfully built and trained large national sales forces in the telecommunications industry since 1988.

In 1988, Mr. Moses played a vital role in the start-up of NTI, a large volume national pay telephone company, as national sales manager. After the sale of NTI, he served as national sales manager for TLC and ITS, national long distance companies.

Mr. Moses joined PNG in 1993 as the director of sales. His primary responsibilities include recruiting and training independent sales agents and their networks. Mr. Moses coordinates his efforts with PNG's legal counsel to ensure that all sales agents are knowledgeable of federal and state regulations applicable to the marketing of telecommunications services.

Michael McLelan, Senior Vice President

Michael McLelan has been involved in the telecommunications industry since the divestiture of AT&T. Mr. McLelan played an integral part in the formation of Phone Club USA, one of the West Coast's largest interexchange telecommunications companies, and served as that company's Executive Vice President.

Mr. McLelan was also an officer of WTG Telecommunications (World Telecom Group), serving as the company's Senior Vice President. In that capacity he was responsible for agency development, wholesaler/reseller division and contract negotiations. Mr. McLelan was instrumental in the development of WTG's prepaid calling card system, one of the largest renewable prepaid calling card systems in the world.

Mr. McLelan joined PNG in November 1997 and now serves as Senior Vice

President. His duties include coordinating PNG's relationships with existing independent agents and developing new prospective agents.

Mr. McLelan is an active member of the Telecommunications Resellers Association and served four years as Chairman of the Association's Pre-paid Services Council.

Mr. McLelan has a B.A. in Business Administration from the University of Hawaii.