

ZIES BROTHERS, P.A.

Attorneys at Law
15 Silver Palm Avenue
Melbourne, Florida 32901

Telephone (407) 722-3222

Facsimile (407) 722-0577

January 20, 2000

Public Service Commission
2540 Shumard Boulevard
Tallahassee, Florida 32399-0850

ABC Certificate

RE: Certification Application of **Bizy Phones, Inc.**

0100000000

Dear Sir/Madam:

Enclosed please find six (6) copies of the Certification Application of Bizy Phones, Inc. Also enclosed, please find check #1297 in the amount of \$250.00 as the required fee to process said documents.

Thank you in advance for your prompt attention to this matter.

Respectfully submitted,

ZIES BROTHERS, P.A.


G/ Philip J. Zies

DEPOSIT DATE
D231 JAN 24 2000

DOCUMENT NUMBER-DATE
~~01060~~ JAN 25 8
FASO-RECORDS-REPORTING

APPLICATION

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

Original certificate (new company).

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:

BIZY PHONES INC.

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

BIZY PHONES INC

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

P.O. Box 61596

PALM BAY

FLORIDA 32905

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

1900 PALM BAY Rd. N.E. # A

PALM BAY FLORIDA 32905

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

(a) The Florida Secretary of State registration number:

N/A

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

Name: N/A

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: N/A

14. Provide **F.E.I. Number**(if applicable): 59-3540575

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.

N/A

(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.

N/A

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

(a) The application:

Name: G. PHILLIP J. ZIES, ATTORNEY AT LAW

Title: DIRECTOR

Address: 15 E SILVER PALM AVE.

City/State/Zip: MELBOURNE FL.

Telephone No.: 321-722-3222 Fax No.: 321-722-0577

Internet E-Mail Address: ZIESBROS@CS.COM

Internet Website Address: _____

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

Name: MARIA ORLANDO

Title: PRESIDENT & DIRECTOR

Address: 1900 PALM BAY ROAD N.E. # A

City/State/Zip: PALM BAY, FLORIDA 32904

Telephone No.: 321-536-7265 Fax No.: _____

Internet E-Mail Address: _____

Internet Website Address: _____

(c) Complaints/Inquiries from customers:

Name: MARIA ORLANDO

Title: PRESIDENT & DIRECTOR

Address: 1900 PALM BAY ROAD N.E. #A

City/State/Zip: PALM BAY, FLORIDA 32905

Telephone No.: 1-877-956-8131 Fax No.: _____

Internet E-Mail Address: _____

Internet Website Address: _____

17. List the states in which the applicant:

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

NONE

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

NONE

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

NONE

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

NONE

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

NONE

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

NONE

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.

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

**** 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:

Mauro S. O'Connell
Signature

12-4-99
Date

PRESIDENT & DIRECTOR
Title

321-536-7265 CELL #
Telephone No.

Address: 1900 Palm Bay Rd # A

Fax No.

Palm Bay FL 32905

ATTACHMENTS:

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

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:

Maria S. Daniels

Signature

12-4-99

Date

PRESIDENT & DIRECTOR

Title

321-536-7265 CELL #

Telephone No.

Address: 1900 BALM BAY Rd #A

Palm Bay FLORIDA 32905

Fax No.

MANAGERIAL CAPABILITIES

Our management team has a combined managerial experience of at least 10 years in various areas of management. Our staff's experience includes retail management, billing and finance, advertising as well as legal expertise.

TECHNICAL CAPABILITY

The technical staff will have a minimal combined experience of at least 7 years in the telephone industry. This experience will include central office switches, main distribution frame and line installation .

STATEMENT OF FINANCIAL CAPABILITIES

Enclosed is a balance sheet, and since this is a start up company there are no profit or loss statements available.

Additional financing for this company will be made available through the re-financing of property, and my excellent credit history with my bank. (First Union). I estimate the available financing to be in the amount of \$ 50,000.00.

12/04/99

BIZY PHONES INC.
Balance Sheet
As of December 4, 1999

	<u>Dec 4, '99</u>
ASSETS	
Current Assets	
Checking/Savings	
Checking	
FIRST UNION	5,000.00
Total Checking	<u>5,000.00</u>
Total Checking/Savings	<u>5,000.00</u>
Total Current Assets	5,000.00
Fixed Assets	
OFFICE EQUIPMENT	15,500.00
Total Fixed Assets	<u>15,500.00</u>
TOTAL ASSETS	<u>20,500.00</u>
LIABILITIES & EQUITY	
Equity	
Opening Bal Equity	20,500.00
Total Equity	<u>20,500.00</u>
TOTAL LIABILITIES & EQUITY	<u>20,500.00</u>

12/04/99

BIZY PHONES INC.
Budget /PROJECTIONS
 December 1999 through November 2000

	Dec '99	Jan '00	Feb '00	Mar '00	Apr '00
Ordinary Income/Expense					
Income					
Sales			3,000.00	5,850.00	6,384.00
Total Income			3,000.00	5,850.00	6,384.00
Expense					
Advertising			300.00	330.00	363.00
Bank Service Charges		50.00	50.00	50.00	50.00
COST OF GOODS				900.00	990.00
Licenses and Permits	300.00				
Office Supplies			50.00	55.00	60.50
Postage and Delivery				35.00	38.50
Printing and Reproduction			50.00	57.50	66.13
Professional Fees	500.00			75.00	75.00
REGULATORY ASSESSMENTS				50.00	55.00
Rent		800.00	800.00	800.00	800.00
Repairs				75.00	75.00
Taxes				75.00	82.50
Total Expense	800.00	850.00	1,250.00	2,502.50	2,655.63
Net Ordinary Income	-800.00	-850.00	1,750.00	3,347.50	3,728.37
Net Income	-800.00	-850.00	1,750.00	3,347.50	3,728.37

12/04/99

BIZY PHONES INC.
Budget /PROJECTIONS
 December 1999 through November 2000

	TOTAL		
	Oct '00	Nov '00	Dec '99 - Nov '00
Ordinary Income/Expense			
Income			
Sales	10,801.02	11,793.72	79,655.56
Total Income	10,801.02	11,793.72	79,655.56
Expense			
Advertising	643.08	707.39	4,781.24
Bank Service Charges	50.00	50.00	550.00
COST OF GOODS	1,753.85	1,929.24	12,221.55
Licenses and Permits			300.00
Office Supplies	107.18	117.90	796.89
Postage and Delivery	68.22	75.04	475.35
Printing and Reproduction	152.97	175.92	1,015.30
Professional Fees	75.00	75.00	1,175.00
REGULATORY ASSESMENTS	97.44	107.18	678.99
Rent	800.00	800.00	8,800.00
Repairs	75.00	75.00	675.00
Taxes	146.16	160.78	1,018.49
Total Expense	3,968.90	4,273.45	32,487.81
Net Ordinary Income	6,832.12	7,520.27	47,167.75
Net Income	<u>6,832.12</u>	<u>7,520.27</u>	<u>47,167.75</u>

12/04/99

BIZY PHONES INC.
Budget /PROJECTIONS
 December 1999 through November 2000

	May '00	Jun '00	Jul '00	Aug '00	Sep '00
Ordinary Income/Expense					
Income					
Sales	6,967.32	7,604.57	8,300.78	9,061.47	9,892.68
Total Income	6,967.32	7,604.57	8,300.78	9,061.47	9,892.68
Expense					
Advertising	399.30	439.23	483.15	531.47	584.62
Bank Service Charges	50.00	50.00	50.00	50.00	50.00
COST OF GOODS	1,089.00	1,197.90	1,317.69	1,449.46	1,594.41
Licenses and Permits					
Office Supplies	66.55	73.21	80.53	88.58	97.44
Postage and Delivery	42.35	46.59	51.25	56.38	62.02
Printing and Reproduction	76.05	87.46	100.58	115.67	133.02
Professional Fees	75.00	75.00	75.00	75.00	75.00
REGULATORY ASSESSMENTS	60.50	66.55	73.21	80.53	88.58
Rent	800.00	800.00	800.00	800.00	800.00
Repairs	75.00	75.00	75.00	75.00	75.00
Taxes	90.75	99.83	109.81	120.79	132.87
Total Expense	2,824.50	3,010.77	3,216.22	3,442.88	3,692.96
Net Ordinary Income	4,142.82	4,593.80	5,084.56	5,618.59	6,199.72
Net Income	<u>4,142.82</u>	<u>4,593.80</u>	<u>5,084.56</u>	<u>5,618.59</u>	<u>6,199.72</u>

G. PHILIP J. ZIES

Attorney at Law

15 Silver Palm Avenue
Melbourne, Florida 32901
Telephone (321) 722-3222
Facsimile (321) 722-0577

**PROFESSIONAL
ASSOCIATIONS**

Florida Bar, Admitted 1993
New York Bar, Admitted 1997
Brevard County Bar Association since 1996
American Bar Association since 1996
New York State Bar Association since 1997
Vassar B. Carlton Inn of Court since 1999
BCBA Judicial Liaison Committee since 1999

EDUCATION

Stetson University College of Law, St. Petersburg, Florida
Juris Doctorate, May 1993

Rollins College, Winter Park, Florida
Bachelor of Arts, May 1990

**CURRENT
EMPLOYMENT**

Zies Brothers, P.A.
15 Silver Palm Avenue
Melbourne, Florida 32901
Since 1997

**PREVIOUS
EMPLOYMENT**

Korea Law Group, P.A., Seoul, Korea
November 1994 to November 1995
Legal Consultant

First Nationwide Bank, New York, New York
November 1994 to September 1995
Legal Assistant

Skadden, Arps, Slate, Meager & Flom, New York, New York
October 1994
Legal Assistant

Chadbourne & Parke, New York, New York
August and September 1994
Legal Assistant

Jacobson & Colfin, P.C., New York, New York
March 1994 to August 1994
Legal Assistant

Debevoise & Plimpton, New York, New York
October and November 1993
Legal Assistant

ZIES BROTHERS, P.A.

Attorneys at Law

15 Silver Palm Avenue
Melbourne, Florida 32901

Telephone (407) 722-3222

Facsimile (407) 722-0577

January 20, 2000

AIEC Certificate

Public Service Commission
2540 Shumard Boulevard
Tallahassee, Florida 32399-0850

000083-TX

RE: Certification Application of **Bizy Phones, Inc.**

Dear Sir/Madam:

Enclosed please find six (6) copies of the Certification Application of Bizy Phones, Inc. Also enclosed, please find check #1297 in the amount of \$250.00 as the required fee to process said documents.

Thank you in advance for your prompt attention to this matter.

Respectfully submitted,

ZIES BROTHERS, P.A.

DEPOSIT

DATE

D231

JAN 24 2000


G/ Philip J. Zies

ZIES BROTHERS, P.A. 05-97
15 SILVER PALM AVE.
MELBOURNE, FL 32901
PH. 407-722-3222

1297

63-1114/670-22

DATE JANUARY 20, 2000

Pay to the order of PUBLIC SERVICE COMMISSION \$250.00
TWO HUNDRED FIFTY AND 00/100 DOLLARS

RIVERSIDE
NATIONAL BANK
of Florida
1025 S. BABCOCK ST. MELBOURNE, FL 32901

01060 JAN 25 B

FOR CERTIFICATION APPLICATION OF BIZY PHONES, INC.



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