



May 26, 2000
Overnight Delivery

210 N. Park Ave.
Winter Park, FL
32789

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oaks Boulevard
Tallahassee, Florida 32399-0850

DEPOSIT DATE
D301 MAY 31 2000

P.O. Drawer 200
Winter Park, FL
32790-0200

RE: Application of Business Telecom, Inc. for a Certificate to Provide Pay Telephone Service within the State of Florida

000656-TC

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

Dear Ms. Bayo:

Enclosed for filing are the original and two (2) copies of the above-referenced application of Business Telecom, Inc.

Also enclosed is a Technologies Management, Inc. check in the amount of \$100, to cover the filing fee.

Please acknowledge receipt of this filing by returning, filed stamped, the extra copy of this letter in the self-addressed stamped envelope provided for that purpose.

Any questions you may have regarding this application may be addressed to me at the above address, or by calling (407) 740-8575. Thank you for your assistance.

Sincerely

Thomas M. Forte
Consultant to Business Telecom, Inc.

Enclosure

cc: Jean Houck - BTI
file: BTI - FL (Payphone)
tms: FLp0000

REC'D - FILED
SERIALIZED
MAY 30 PM 1:55
MAIL ROOM

DOCUMENT NUMBER-DATE

06595 MAY 30 8

FPSC-RECORDS/REPORTING

ORIGINAL

FLORIDA PUBLIC SERVICE COMMISSION

DIVISION OF COMMUNICATIONS
BUREAU OF SERVICE EVALUATION

APPLICATION FORM FOR CERTIFICATE TO PROVIDE
PAY TELEPHONE SERVICE
WITHIN THE STATE OF FLORIDA

INSTRUCTIONS

- This form is used for an original application for a certificate to provide pay telephone service within the State of Florida.
- **Print or type** all responses to each item requested in the application. If an item is non applicable, please explain.
- Use a separate sheet for each answer which will not fit within the allotted space.
- Once completed, submit the original and two (2) copies of this form and a non-refundable **application fee of \$100.00** to:

Florida Public Service Commission
 Division of Records and Reporting
 2540 Shumard Oak Blvd.
 Tallahassee, Florida 32399-0850
 (850) 413-6770

- If you have questions about completing the form, contact:

Florida Public Service Commission
 Division of Communications
 Bureau of Service Education
 2540 Shumard Oak Blvd.
 Tallahassee, Florida 32399-0850
 (850) 413-6600

1. Name of company or name of individual (not fictitious name or d/b/a):

Business Telecom, Inc.

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

Business Telecom, Inc. d/b/a BTI

3. Official mailing address:

Street: 4300 Six Forks Road, Suite 500
City: Raleigh
State & Zip North Carolina 27609

4. Florida Address:

Street:
City:
State & Zip

5. Structure of organization:

- Individual
- Corporation
- General Partnership
- Limited Partnership
- Other:

6. If incorporated in Florida, Provide proof of authority to operate in Florida:

Florida Secretary of State Corporate Registration Number: P33631

7. **If using fictitious name d/b/a (doing business as), provide proof of compliance with the fictitious name statute (Chapter 865.09, Florida Statutes) to operate in Florida:**

Florida Fictitious Name Registration Number: G92021000135

8. **F.E.I. Number (if applicable):**

56-1426866

9. **If individual, provide:**

Name:

Title:

Address:

City, State, Zip:

Phone:

Fax:

Internet E-Mail:

Internet Website:

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

(A) Name:

Title:

Address:

City, State, Zip:

Phone:

Fax:

Internet E-Mail:

Internet Website:

(B) Name:

Title:

Address:

City, State, Zip:

Phone:

Fax:

Internet E-Mail:

Internet Website:

11. Who will serve as liaison to the commission with regard to the following:

(A) The application:

Name: Thomas M. Forte, Technologies Management, Inc.
Title: Consultant to Business Telecom, Inc.
Address: 210 North Park Avenue
City, State, Zip: Winter Park, Florida 32789
Phone: 407-740-8575
Fax: 407-740-0613
Internet E-Mail: tforte@tminc.com
Internet Website:

(B) Official Point of Contact for ongoing company operations including complaints and inquiries:

Name: Jean Houck
Title: Regulatory Manager
Address: 4300 Six Forks Road, Suite 500
City, State, Zip: Raleigh, North Carolina 27609
Phone: 919-863-7325
Fax: 919-863-7098
Internet E-Mail: Jean.Houck@btitele.com
Internet Website: www.btitele.com

- 12. Indicate if applicant or any subsidiary, partner, officers, directors, or any stockholder has been previously adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings.**

None of Business Telecom, Inc. ("BTI") partners, officers, directors or stockholder has been previously adjudged bankrupt, mentally incompetent or found guilty of any felony or of any crime.

If so, provide explanation:

- 13. Has the applicant or any subsidiary, partner, officer, director, or any stockholder ever been granted or denied a pay telephone certificate in the State of Florida: (This includes active and canceled pay telephone certificates.) If yes, provide explanation and list the certificate holder and certificate number.**

No.

- 14. Is the applicant or any subsidiary, partner, officer, director, or any stockholder a subsidiary, partner, or officer in any other Florida certificated pay telephone company? If yes, give name of company and relationship. If no longer associated with company, give reason why not.**

No.

15. List other states in which the applicant:

(A) Is currently providing pay telephone service.

North Carolina

(B) Has applications pending to be certified as a pay telephone provider.

None

(C) Has been denied authority to operate as a pay telephone provider. Explain circumstances.

None.

(D) Has had regulatory penalties imposed for violations of telecommunications statutes, rules, or orders. Explain circumstances.

None

16. Please check the services that will be provided:

Local	<input checked="" type="checkbox"/>
Long Distance	<input checked="" type="checkbox"/>
Coin	<input checked="" type="checkbox"/>
Calling Card	<input checked="" type="checkbox"/>
Credit Cards	<input checked="" type="checkbox"/>
Other, (describe)	<input checked="" type="checkbox"/>

BTI will offer all of the above mentioned services from the payphones that it installs throughout the state. BTI is currently certificated to provide both interexchange toll service (Company Code - TI022 / Certificate # 2948) and alternative local exchange service (Company Code - TX105).

- 17. Proposed number of pay telephone instruments the applicant plans to install/operate in the first year:**

At this time, BTI has no specific location where it plans to install service. The company has responded to a Request for Proposal to install pay telephones in the Tampa area.

- 18. How does the applicant intend to service and maintain each payphone? Check all that apply.**

Personally	<input type="checkbox"/>
Full-time technician	<input type="checkbox"/>
Part-time technician	<input type="checkbox"/>
Service/Repair/Maintenance Contract	<input checked="" type="checkbox"/>
Other (describe)	<input type="checkbox"/>

- 19. Will each of the installed pay telephones provide access to all locally available long distance carriers via 10XXX+0, 10XXXX+0, 101XXXX +0, 950, and toll free (e.g. 800, 877, and 888)? See Rule 25-24.515(10), Florida Administrative Code.**

Pay telephones available to the general public will allow the user to access all locally available long distance carriers.


- 20. Will each of the installed pay telephones conform to subsections 4.28.8.4 and 4.29 of the American National Standard (CABO/ANSI A117.1-1992), Accessible and Usable Buildings and Facilities approved December 15, 1992 by the American National Standards Institute, Inc.? See Rule 25-24.515(18), Florida Administrative Code.**

Yes, for pay telephones available to the general public.

APPLICANT FEE/TAX STATEMENT

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of **0.15 of one percent** of the 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 **\$100.00** must be submitted with the application.

UTILITY OFFICIAL:



Anthony M. Copeland
Executive Vice President/General Counsel

5/10/02
Date

Phone: 919-863-7000

Fax: 919-863-7098

4300 Six Forks Road, Suite 500
Raleigh, North Carolina 27609

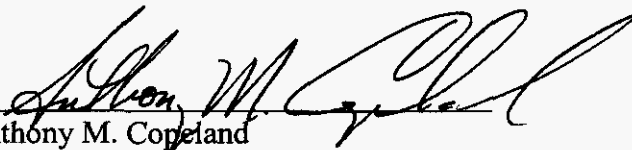
ACKNOWLEDGMENT

By my signature below, I, the undersigned owner/officer, 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.

I will comply with all current and future Commission requirements regarding pay telephone service. I understand that I am required to pay a regulatory assessment fee (minimum of \$50.00 per calendar year), file an annual pay telephone service report, pay applicable sales tax, and pay gross receipts tax. Furthermore, I agree to keep the Commission advised of any changes in the names and addresses listed in the application within 10 days of the change.

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:



Anthony M. Copeland
Executive Vice President/General Counsel



Date

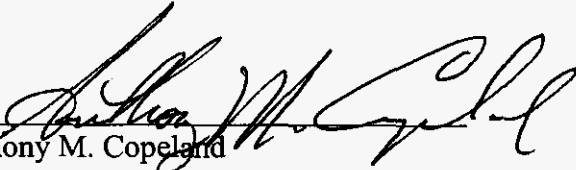
Phone: 919-863-7000

Fax: 919-863-7098

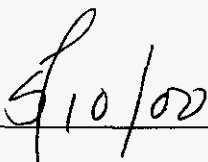
4300 Six Forks Road, Suite 500
Raleigh, North Carolina 276094

APPLICANT ACKNOWLEDGMENT

I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Requirements relating to my provision of Pay Telephone Service.



Anthony M. Copeland
Executive Vice President/General Counsel



Date

Phone: 919-863-7000

Fax: 919-863-7098

4300 Six Forks Road, Suite 500
Raleigh, North Carolina 27609

THIS ACKNOWLEDGMENT FORM MUST BE COMPLETED AND RETURNED AS PART OF THE APPLICATION BEFORE THE CERTIFICATION PROCESS BEGINS. FAILURE TO DO SO WILL RESULT IN A DELAY OF THE CERTIFICATE BEING ISSUED.

Attachment I

BUSINESS TELECOM, INC.

Certificate of Authority

to transact business within the State of Florida

State of Florida



Department of State

I certify from the records of this office that BUSINESS TELECOM, INC., is a corporation organized under the laws of North Carolina, authorized to transact business in the State of Florida, qualified on April 16, 1991.

The document number of this corporation is P33631.

I further certify that said corporation has paid all fees due this office through December 31, 1999, that its most recent annual report was filed on March 6, 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
Nineteenth day of October, 1999



CR2EO22 (1-99)

Katherine Harris

Katherine Harris
Secretary of State

BUSINESS TELECOM, INC.

Certificate of Authority

to transact business within the State of Florida

Docket No. 910902-TI

Certificate No. 2948

Order No. 25802

Date March 18, 1992



**Florida
Public Service Commission**

**Telephone
Certificate of Public
Convenience and Necessity**

Upon consideration of the record in the above numbered docket, it is
BUSINESS TELECOM, INC.
ORDERED that authority be and is hereby granted to: d/b/a BTI

whose principal address is : 5000 Falls of Neuse Road, Suite 400, Raleigh, NC
to provide telecommunication service in accordance with Chapter 364, Florida 27609
Statutes, the Rules, Regulations and Orders of this Commission, and the condi-
tions and provisions prescribed in Order No. 25802 in the territory
described therein.

This Certificate shall remain in force and effect until amended, suspended,
cancelled or revoked by Order of this Commission.

BY ORDER OF THE
FLORIDA PUBLIC SERVICE COMMISSION


Director of Records and Reporting

State of Florida

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARCIA



DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER
DIRECTOR
(904) 413-6600

Public Service Commission

September 5, 1997

Mr. Anthony M. Copeland
Vice President and General Counsel
Business Telecom, Inc. d/b/a BTI
4300 Six Forks Road
Suite 500
Raleigh, North Carolina 27609

RE : Authority Number T-97-0411

Dear Mr. Copeland:

Since no protest was received by the close of business August 13, 1997, your certificate to operate as an alternative local exchange company (ALEC) became effective August 14, 1997, in Docket Number 970486-TX; Order Number PSC-97-0879-FOF-TX.

If you intend to offer basic service per 364.02 (2), Florida Statutes, a price list must be submitted to the Commission at least one day prior to offering service. If you have any questions, please call Jim Strong at 850/413-6530.

Sincerely,

A handwritten signature in cursive script that reads "Ann Shelfer".

Ann Shelfer
Supervisor
End User Services

AHS/jgs

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for
certificates to provide
alternative local exchange
communications services:

Quintelco, Inc.	DOCKET NO. 970757-TX
FiberSouth of Florida, Inc. d/b/a FiberSouth, Inc.	DOCKET NO. 970372-TX
Business Telecom, Inc. d/b/a BTI	DOCKET NO. 970486-TX
Local Line America, Inc.	DOCKET NO. 970495-TX
Connect USA, Inc.	DOCKET NO. 970572-TX
World Telecommunications Services, Inc.	DOCKET NO. 970602-TX

ORDER NO. PSC-97-0879-FOF-TX
ISSUED: July 23, 1997

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARCIA

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATES TO
PROVIDE ALTERNATIVE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service
Commission that the action discussed in this Order is preliminary
in nature and will become final unless a person whose interests are
substantially affected files a petition for a formal proceeding,
pursuant to Rule 25-22.029, Florida Administrative Code.

The entities listed below have applied for certificates to
provide alternative local exchange telecommunications service
(ALEC), pursuant to Section 364.337, Florida Statutes. Upon review
of their applications, it appears that these entities have

ORDER NO. PSC-97-0879-FOF-TX
DOCKETS NOS. 970757-TX, 970372-TX, 970486-TX, 970495-TX,
970572-TX, 970602-TX
PAGE 2

sufficient technical, financial, and managerial capability to provide such service. Accordingly, we hereby grant to each of these entities the certificates depicted below, which shall authorize them individually to provide alternative local exchange telecommunications services statewide, except that the ALEC may not offer basic local telecommunications service within the territories of earnings-regulated small local exchange companies, as set forth in Section 364.337(1), Florida Statutes.

<u>ENTITY NAME</u>	<u>CERTIFICATE NUMBER</u>
Quintelco, Inc.	
FiberSouth of Florida, Inc. d/b/a FiberSouth, Inc.	5163
Business Telecom, Inc. d/b/a BTI	5195
Local Line America, Inc.	5193
Connect USA, Inc.	5199
World Telecommunications Services, Inc.	5204

If this Order becomes final and effective, it shall serve as each entity's certificate. It should, therefore, be retained by each entity as proof of its certification.

In addition, Section 364.337(2), Florida Statutes, requires ALECs which provide basic local telecommunications service to provide access to 911 services. This Commission has no rules specifying the 911 services that either an incumbent local exchange company (ILEC) or an ALEC must provide; however, 911 service that is inferior to that provided by the ILEC would clearly not be in the public interest. Accordingly, we find that Section 364.337(2), Florida Statutes, requires ALECs which provide basic local telecommunications services to provide at least the same level of 911 services as that provided by the ILEC serving the same area.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide alternative local exchange telecommunications service, subject to the terms and conditions set forth in the body of this Order. It is further

ORDER NO. PSC-97-0879-FOF-TX
DOCKETS NOS. 970757-TX, 970372-TX, 970486-TX, 970495-TX,
970572-TX, 970602-TX
PAGE 3

ORDERED that this Order shall serve as each entity's certificate and should be retained as proof of the certification. It is further

ORDERED that each alternative local exchange company which provides basic local telecommunications services shall provide at least the same level of 911 services as that provided by the incumbent local exchange company serving the same area. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, these Dockets shall be closed.

ORDER NO. PSC-97-0879-FOF-TX
DOCKETS NOS. 970757-TX, 970372-TX, 970486-TX, 970495-TX,
970572-TX, 970602-TX
PAGE 4

By ORDER of the Florida Public Service Commission, this 23rd
day of July, 1997.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

/s/ Kay Flynn
Kay Flynn, Chief
By: Bureau of Records and Reporting

This is a facsimile copy. A signed
copy of the order may be obtained by
calling 1-904-413-6770.

(S E A L)

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This

ORDER NO. PSC-97-0879-FOF-TX
DOCKETS NOS. 970757-TX, 970372-TX, 970486-TX, 970495-TX,
970572-TX, 970602-TX
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petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 13, 1997.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.



May 26, 2000
Overnight Delivery

210 N. Park Ave.
Winter Park, FL
32789

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oaks Boulevard
Tallahassee, Florida 32399-0850

DEPOSIT DATE
D301 MAY 31 2000

P.O. Drawer 200,
Winter Park, FL
32790-0200

RE: Application of Business Telecom, Inc. for a Certificate to Provide Pay Telephone Service within the State of Florida

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

000656-TC

Dear Ms. Bayo:

Enclosed for filing are the original and two (2) copies of the above-referenced application of Business Telecom, Inc.

Also enclosed is a Technologies Management, Inc. check in the amount of \$100, to cover the filing fee.

Please acknowledge receipt of this filing by returning, filed stamped, the extra copy of this letter in the self-addressed stamped envelope provided for that purpose.

Any questions you may have regarding this application may be addressed to me at the above address, or by calling (407) 740-8575. Thank you for your assistance.

Sincerely

DOCUMENT NUMBER - DATE
06595 MAY 30 8
PSC-RECORDS/REPORTING

TECHNOLOGIES MANAGEMENT, INC. P.O. BOX 200 WINTER PARK, FL 32790-0200 (407) 740-8575	BANK OF AMERICA WINTER PARK, FL 32789 8327831	26373
PAY TO THE ORDER OF <u>FLORIDA PSC</u>		\$ <u>100.00</u>
<u>One hundred & no/100</u>		DOLLARS Security features included. Details on back.
MEMO <u>Pay Tel. Appl. fee for BT</u>		TECHNOLOGIES MANAGEMENT, INC.
⑈026373⑈		