

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

September 22, 2000

VIA OVERNIGHT DELIVERY

Florida Public Service Commission
Tariff Section
2540 Shumard Oak Blvd.
Gunter Bldg.
Tallahassee, Florida 32399-0850

DEPOSIT DATE
D 3 6 6 0 SEP 2 6 2000

001452-TX

Re: NetworkIP, LLC

Dear Sir/Madam:

Enclosed please find one original and six (6) copies of NetworkIP, LLC's (NetworkIP) Application for Authority to Provide Local Exchange Telecommunications Service Within the State of Florida.

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.

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

NETWORK ENHANCED TELECOM, L.L.P. 119 W. TYLER STE. 260 LONGVIEW TX 75601		LONGVIEW BANK & TRUST 300 E. WHALEY P.O. BOX 3184 LONGVIEW, TEXAS 75806 903-237-6500		3958
PAY TO THE ORDER OF		DATE	AMOUNT	003958
*TWO HUNDRED FIFTY DOLLARS AND NO CENTS		03/22/00	*****250.00*	88-2323 1110
Florida Public Service Comm		DOCUMENT NUMBER-DATE		
FLORIDA		12059 SEP 25 00		
⑈003958⑈		A/Sht:		

Security features included. Details on back.

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Tallahassee, Florida 32399-0850

DEPOSIT
D S O
DATE
SEP 26 2000

001452-TX

Re: NetworkIP, LLC

Dear Sir/Madam:

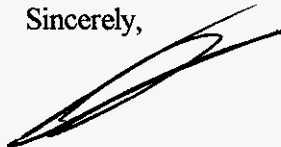
Enclosed please find one original and six (6) copies of NetworkIP, LLC's (NetworkIP) Application for Authority to Provide Local Exchange Telecommunications Service Within the State of Florida.

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.

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

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

Sincerely,



Lance J.M. Steinhart, Esq.
Attorney for NetworkIP, LLC

Enclosures

cc: Toni Van Burkleo

DOCUMENT NUMBER - DATE

12059 SEP 25 8

FPSC-RECORDS/REPORTING

**** FLORIDA PUBLIC SERVICE COMMISSION ****

**DIVISION OF TELECOMMUNICATIONS
BUREAU OF CERTIFICATION AND SERVICE EVALUATION**

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

Instructions

- ◆ This form is used as an application for an original certificate and for approval of the assignment or transfer of an existing certificate. In the case of an assignment or transfer, the information provided shall be for the assignee or transferee (See Appendix A).
- ◆ Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.
- ◆ Use a separate sheet for each answer which will not fit the allotted space.
- ◆ Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of **\$250.00** 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 Telecommunications
Bureau of Certification and Service Evaluation
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600**

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:

NetworkIP, LLC

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

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

119 West Tyler Street, Ste. 168

Longview, TX 75601

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

None at this time

6. Structure of organization:

- () Individual () Corporation
() Foreign Corporation () Foreign Partnership
() General Partnership () Limited Partnership
() Other TX limited liability company

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:**

LLC- No. M00000000017

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:**

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): 75-2842014

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

(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.

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

(a) The application:

Name: Lance J.M. Steinhart

Title: Regulatory Counsel

Address: 6455 East Johns Crossing

City/State/Zip: Duluth, Georgia 30097

Telephone No.: 770/232-9200 Fax No.: 770/232-9208

Internet E-Mail Address: lsteinhart@telecomcounsel.com

Internet Website Address: _____

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

Name: Toni Van Burkleo

Title: Chief Financial Officer

Address: 119 West Tyler St., Ste. 168

City/State/Zip: Longview, TX 75601

Telephone No.: (903) 323-4500 Fax No.: (903) 323-4564

Internet E-Mail Address: tvb@networkip.net

Internet Website Address: www.networkip.net

(c) Complaints/Inquiries from customers:

Name: Nichole Janner

Title: Customer Service Manager

Address: 119 West Tyler St., Suite 168

City/State/Zip: Longview, TX 75601

Telephone No.: (903) 323-4500 Fax No.: (903) 323-4564

Internet E-Mail Address: njanner@networkip.net

Internet Website Address: www.networkip.net

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.

Arkansas

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

New York, New Jersey & Montana

- (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:

<u><i>Joni VanBurkleo</i></u>	<u>8/22/00</u>
Signature	Date
<u>Chief Financial Officer</u>	<u>(903) 323-4500</u>
Title	Telephone No.
<u>Address: 119 West Tyler St., Ste. 168</u>	<u>(903) 323-4564</u>
<u>Longview, TX 75601</u>	<u>Fax No.</u>

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:

<u>Joni VanBurkle</u>	<u>8/21/00</u>
Signature	Date
<u>Chief Financial Officer</u>	<u>(903) 323-4500</u>
Title	Telephone No.
<u>119 West Tyler St., Ste. 168</u>	<u>(903) 323-4564</u>
Address:	Fax No.
<u>Longview, TX 75601</u>	

LIST OF ATTACHMENTS

FINANCIAL INFORMATION

MANAGEMENT INFORMATION

STATEMENT OF FINANCIAL CAPABILITY

FINANCIAL INFORMATION

MANAGEMENT INFORMATION

NETWORK ENHANCED TELECOM, LLP
Biographical Sketches for Senior Management

Peter R. Patullo, age 39

Chief Executive Officer

Mr. Pattullo is the President and Chief Executive Officer for Network Enhanced Telecom, LLP (NET). He also serves as Chief Technology Officer for Network Operator Services Inc. and its subsidiaries. Mr Pattullo joined Network Operator Services, Inc., in May 1997, subsequently founding and managing NET in December 1997. He served over fourteen years at Nortel in a full range of positions. Mr. Pattullo has nineteen years of experience in telecommunications customer service, product management, maintenance, operations and support.

Toni L. Van Burkleo, CPA, age 44

Chief Financial Officer

Ms. Van Burkleo joined Network Enhanced Telecom, LLP in December of 1998. She previously served as the CFO and Controller for Network Operator Services since June of 1993. Prior to that time she was in private practice as a CPA, consulting with clients on accounting software for personal computers and was a management consultant with Coopers & Lybrand in Dallas in their Energy Systems and Services division. Ms. Van Burkleo manages the financial functions of the Company including preparation of financial information for NET and selected customers. Ms. Van Burkleo received her BBA in Accounting from Baylor University, Waco, Texas.

Scott Reskey, age 43

Vice President, Operations

Mr. Reskey joined Network Enhanced Telecom in October 1998. Prior to joining the Company, he was employed by Sprint Long Distance (1986-1998) in various technical and management positions within Field and Network Operations, including Technical Support and Network Management & Control. Mr. Reskey is responsible for the day-to-day operation and management of the network.

Jet Thomas, age 40

Director of Network Operations

Mr. Thomas joined Network Enhanced Telecom in August of 1998 after working with Network Operator Services since July of 1993, where he served as their Director of Network Operations also. He was previously employed by Valu-Line of Longview as Network Manager. Prior to this time, he was a technician with Southwestern Bell Telephone. Mr. Thomas manages the switch and facility network for the Company, including deployment of new technologies for Network Operator Services, Inc. and its affiliates. Mr. Thomas attended Texas Baptist College and received his BA in Business from Arkansas State University, Jonesboro, Arkansas.

Darren Burns, age 34

Vice President of Sales/Marketing

Mr. Burns joined Network Enhanced Telecom in August of 1998 after working with Network Operator Services, Inc. since late 1988, where he was Director of Information Systems. He was previously a customer engineer for Memorex Telex Corporation in their Telecommunications Division. Mr. Burns has been involved in various aspects of the telecommunications industry for thirteen years. Mr. Burns is responsible for business development and marketing for NET. Mr. Burns is a graduate of LeTourneau University with a BA in Business Management.

STATEMENT OF FINANCIAL CAPABILITY

FOR NETWORKIP, LLC

Applicant 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. In support of Applicant's stated financial capability, a copy of Financial Statements for year the year ended December 31, 1999 and the seven months ended July 31, 2000 for Network Enhanced Telcom, LLP is attached to its application. The company is well capitalized and is very profitable. Applicant intends to fund the provision of service through internally generated cash flow, and from cash contributions from Network Enhanced Telecom, LLP, which is committed to provide necessary funding in order for Applicant to provide service in the State of Florida.. Applicant also has the ability to borrow funds, if required, based upon its financial capabilities, to provide service in the State of Florida.