

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reports (RAR) Completes

Docket No. 001189-TC Date Docketed: 08/18/2000 Title: Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 7187 issued to Alex Levy for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees: Telecommunications Companies.

Company: Alex Levy

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: ADM AFA APP CAF (CMP) CMU EAG ECR GCL LEG PAI RAR RGO SER WAW
 ("()" indicates OPR) X _____ _____ _____ _____ _____ _____ _____ _____ _____

Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule

Program/Module B1(k)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Current CASR revision level

	Staff Assignments
<u>OPR Staff</u>	_____

<u>Staff Counsel</u>	_____
<u>OCRs ()</u>	_____

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	Due Dates	
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Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: _____

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	NC	XX		

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	NC	XX	

DOCUMENT NO

18390-00

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____
 Date: ___ / ___ / ___

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket No. 001189-TC Date Docketed: 08/18/2000 Title: Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 7187 issued to Alex Levy for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.
 Company: Alex Levy

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

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 ("()") indicates OPR X _____ X _____ _____ _____ X _____ _____ _____

Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule

Program/Module B1(k)

Staff Assignments

OPR Staff P Isler

Staff Counsel J Elliott

OCRs () _____

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 08/29/2000

Initials: OPR _____
 Staff Counsel _____

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level**

0

	Due Dates	
	Previous	Current
1. Staff Recommendation	NONE	10/26/2000
2. Agenda	NONE	11/07/2000
3. PAA Order - PSC Certificate Cancellation	NONE	11/27/2000
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	NC	XX		
X							

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	NC	XX	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JD/SM

Date: 08/29/2000



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: April 5, 2000
TO: Jackie Gilchrist, Division of Communications
FROM: Nonnye Grant, Division of Records and Reporting *n/g*
RE: Responses to "Update Letters" - Cancellations

Recently mailed out my request for "updated information" from all the Companies/Utilities under the FPSC jurisdiction and they are currently being returned. The following companies responded by indicating on the letter that their company is longer in business or they are requesting that their certificate be canceled:

- ✓ 1. Alex Levy - TG618 with attachment ~~TEU TO CANCEL~~
 - ✓ 2. Harry Leyava III d/b/a P.M. Company - TG485
 - ✓ 3. Hogue, Inc. - TG515 with attachment
 - ✓ 4. Payphone Communications, Inc. - TG504
 - ✓ 5. Rack-N-Q Billiards - TE784
 - ✓ 6. Reliable Telephone Company - TF693
 - ✓ 7. Samuel R. Schonwetter - TG138
 - ✓ 8. TelSouth Incorporated of N.C. - TG322
 - ✓ 9. William A. Redditt Jr. - TG517
 10. Wireless One Network, L.P. d/b/a Cellular One of Southwest Florida - TX102
 11. Wireless One Network, L.P. d/b/a Cellular One of Southwest Florida - TI662
- Application for certificate to provide alternative*

Forwarding copy of my "updated information" for the above companies for your information and further handling. Have checked and until a docket is opened on their requests for cancellation and an order is issued acknowledging their request, they will remain as they were originally certificated under.

Thanking you in advance for your help.

/nbg
 Attachments (11)

DOCUMENT NO
 18390-00

AFFIDAVIT

Commonwealth
State of: Pennsylvania
County: Montgomery

I, the undersigned Chief Executive Officer of Eureka Broadband Corporation, on my oath do say that the foregoing financial statements have been prepared, under my direction, from the original books, papers and records of the petitioner, that I have carefully examined the same, and declare the same to be a complete and correct statement of the business and affairs of the above named petitioner in respect to each and every matter and thing therein set forth, and I further say that the accounts and figures contained in the foregoing documents embrace all of the financial operations of the petitioner during the period for which said documents are made to the best of my knowledge, information and belief.

[Signature]
Chief Executive Officer

Subscribed and sworn to before me
this 21st day of August, 2000.

[Signature]
Notary Public

Identification Number:

Notarial Seal
Donna Lee Zuccarini, Notary Public
Whitemarsh Twp., Montgomery County
My Commission Expires March 12, 2001
Member, Pennsylvania Association of Notaries





FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

July 5, 2000

CT CORPORATION SYSTEM
ATTN; CAROL CLARK

Qualification documents for EUREKA TELECOM, LLC were filed on July 5, 2000, and assigned document number M00000001313. Please refer to this number whenever corresponding with this office.

Your limited liability company is now qualified and authorized to transact business in Florida as of the file date. In accordance with section 608.406(2), F.S., the name of this limited liability company is filed with the Department of State for public notice only and is granted without regard to any other name recorded with the Division of Corporations.

A limited liability company annual report/uniform business report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number will be required before this report can be filed. If you do not already have an FEI number, please apply NOW with the Internal Revenue by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the limited liability company address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please telephone (850) 487-6051, the Registration and Qualification Section.

Michelle Hodges
Document Specialist
Division of Corporations

Letter Number: 500A00037377

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 608.503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. EUREKA TELECOM, LLC (Name of foreign limited liability company)

2. DELAWARE (Jurisdiction under the law of which foreign limited liability company is organized) 3. 52-2247045 (FEI number, if applicable)

4. APRIL 19, 2000 (Date of Organization) 5. PERPETUAL (Duration: Year limited liability company will cease to exist or "perpetual")

6. Upon Qualification (Date first transacted business in Florida. (See sections 608.501, 608.502, and 817.155, F.S.))

7. 270 MADISON AVE 6th FLOOR NEW YORK, NY 10016 (Street address of principal office)

8. If limited liability company is a manager-managed company, check here []

9. The usual business addresses of the managing members or managers are as follows: Eureka Broadband Corporation 270 MADISON AVE 6th FL New York NY 10016

FILED SECRETARY OF STATE DIVISION OF CORPORATIONS 00 JUL -5 PM 1:35

10. Attached is an original certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (A photocopy is not acceptable. If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted.)

11. Nature of business or purposes to be conducted or promoted in Florida: Broadband Telecommunications Service Provider

David Ellen Signature of a member or an authorized representative of a member. (In accordance with section 608.408(3), F.S., the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true.) DAVID ELLEN Typed or printed name of signee

CERTIFICATE OF DESIGNATION OF REGISTERED AGENT/REGISTERED OFFICE

PURSUANT TO THE PROVISIONS OF SECTION 608.415 OR 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT TO DESIGNATE A REGISTERED OFFICE AND REGISTERED AGENT IN THE STATE OF FLORIDA.

1. The name of the Limited Liability Company is:

Eureka Broadband, LLC

2. The name and the Florida street address of the registered agent and office are:

C T Corporation System

(Name)

c/o C T Corporation System, 1200 South Pine Island Road

Florida street address (P.O. Box **NOT** ACCEPTABLE)

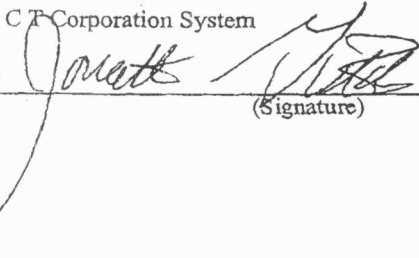
Plantation

FL 33324

City/State/Zip

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, F.S..

C T Corporation System



(Signature)

Jonathan R. Giddings
Assistant Secretary

- \$ 100.00 Filing Fee for Application
- \$ 25.00 Designation of Registered Agent
- \$ 30.00 Certified Copy (optional)
- \$ 5.00 Certificate of Status (optional)

**CERTIFICATE OF FORMATION
OF**

EUREKA TELECOM, LLC


The undersigned, an authorized natural person, for the purpose of forming a limited liability company, under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

FIRST: The name of the limited liability company (hereinafter called the "Limited Liability Company") is:

Eureka Telecom, LLC

SECOND: The address of the registered office of the Limited Liability Company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act in the State of Delaware is Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, in the County of New Castle. The registered agent for service of process at such address is The Corporation Trust Company.

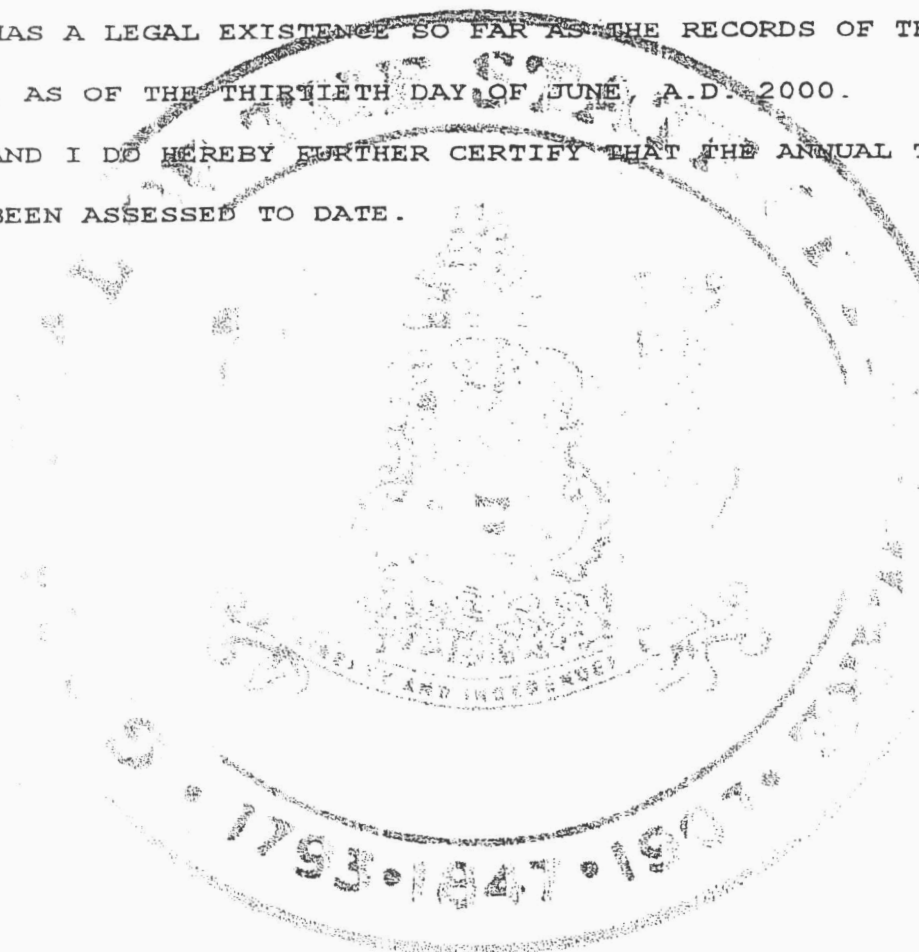
IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation of Eureka Telecom, LLC this 19th day of April, 2000.


Christopher Cano, Authorized Person

State of Delaware
Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "EUREKA TELECOM, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRTIETH DAY OF JUNE, A.D. 2000.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.



3215715 8300

001336513



Edward J. Freel

Edward J. Freel, Secretary of State 0535572

AUTHENTICATION: 06-30-00

DATE:

State of Delaware

PAGE 1

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "EUREKA TELECOM, LLC", FILED IN THIS OFFICE ON THE NINETEENTH DAY OF APRIL, A.D. 2000, AT 4 O'CLOCK P.M.



Edward J. Freel

Edward J. Freel, Secretary of State

3215715 8100

001201701

AUTHENTICATION: 0396171

DATE: 04-24-00

ATTACHMENT C

MANAGERIAL AND TECHNICAL QUALIFICATIONS

Eureka has the managerial and technical qualifications necessary to provide the proposed services in the State of Florida. Eureka Broadband will contribute its operational expertise to the management and operation of Eureka's network. The managerial staff of Eureka and Eureka Broadband possess extensive knowledge of network management and operations, design and development of telecommunications infrastructure.

Attached are the biographies of some of the officers and principals of Eureka and Eureka Broadband. These biographies demonstrate that Eureka possesses the necessary management and technical expertise to operate a telecommunications corporation, as required by the Commission's Rules.

Jeffrey E. Ginsberg, Chairman and Chief Executive Officer

Mr. Ginsberg has enjoyed a successful career as an entrepreneur in both the real estate and telecommunications industries. He is responsible for the overall management of the Company. His primary area of focus is on corporate development including landlord relationships, capital raising, mergers and acquisitions and strategic operating relationships.

Prior to joining the Company in June 1999, Mr. Ginsberg was Chairman and co-founder of Apex Site Management, which grew from its inception in 1995 to become the leading real estate telecommunications site management firm in the country, with more than 15,000 properties under exclusive management. Mr. Ginsberg is recognized as an industry leader in the real estate/telecommunications sector, as Apex completed more than 3,000 access agreements on its managed portfolio with ISPs, CLECs, and other service providers during his tenure. In November 1999, Apex was sold to Spectrasite Holdings (NNM: SITE), a US builder and operator of wireless communications towers.

Mr. Ginsberg is also the co-founder of Horizon Cellular Group, which grew from a start-up in 1991 to become one of the 20 largest cellular system operators in the country until its sale for \$575 million. At Horizon, Mr. Ginsberg focused on finance and mergers and acquisitions. Prior to co-founding Horizon, Mr. Ginsberg spent time in merchant banking investing in telecommunications companies as well as in investment banking.

He received a B.S. in Finance and Accounting from The Wharton School of the University of Pennsylvania in 1986.

Robert W. Vanech, President and Co-Founder

Mr. Vanech is a co-founder of Eureka Broadband. As President, he is responsible for the day-to-day management of the organization and is the driving force behind the Company's strategic vision. His primary areas of focus are sales, marketing and customer care organizations, as well as the development of the Company's web portal and ASP initiatives.

Prior to co-founding the Company, Mr. Vanech enjoyed a successful eight-year career at MCI Communications, where he achieved national recognition in a steady progression of key sales and management positions.

More recently, Mr. Vanech managed MCI's Investment Program in New York City, where his organization was responsible for finding start-up technology companies and winning Fortune 500 accounts that did not utilize the services of MCI. Through this experience, Mr. Vanech has developed strong relationships in New York's high-tech business community and acquired an understanding of the trends, needs, and opportunities affecting that marketplace. Before being placed in charge of the New York Investment Program, Mr. Vanech consistently ranked among MCI's best sales performers nationally.

Christopher W. Simmons, Chief Financial Officer and Co-Founder

Mr. Simmons is responsible for the finance, accounting, human resources and procurement functions at the Company.

He began his career at the accounting firm of Deloitte Haskins & Sells (now Deloitte & Touche) where he was trained as an entrepreneurial business specialist and received his designation as Certified Public Accountant.

Prior to founding Eureka with Robert Vanech in 1998, Mr. Simmons held the position of Director of Information Systems at GEC-Marconi Electronic Systems Corporation, a \$200 million avionics equipment manufacturer, where he managed an organization of 40 persons with responsibility for the company's 1400-node data network and 1200-node voice network. Prior to that, he was Director of Financial Planning at GEC-Marconi, where he helped engineer a restructuring of the business that returned it to strong profitability and brought about a \$70 million improvement in annual cash flow.

His telecommunications industry experience includes serving as Manager of Accounting at Technicom International, Inc., a publicly-traded distributor of telephone equipment, as Manager of Financial Planning at TIE/Communications, Inc., where he helped manage the company's growth from \$250 million to \$500 million in sales, and as Senior Analyst at the Plessey Company, the U.K.'s largest manufacturer of telephone switching equipment.

Donald Martin, Chief Operating Officer

Mr. Martin is Responsible for the overall engineering, deployment and operations tactics and strategy for Eureka Broadband's internal and external network and systems infrastructures. These infrastructures include in building networks, metropolitan area networks, backbone networks, Co-Los/POPs, the ISP platform, the ASP platform, the Network Operations Center, and the internal Operations Support Systems infrastructure.

Mr. Martin is also responsible for the development, deployment and maintenance of all internal and external (customer serving) information management systems at the Company including billing, order management, customer relationship management, order management, procurement, financials, ISP platforms and ASP platforms. He also oversees all of the Company's internal communications systems including LAN and voice communications.

Mr. Martin most recently served as Vice President, Business & Operations Support Systems at Logix Communications. There he led all IT/IS/OSS engineering, procurement, administration, and support activities, including Y2K compliance. Prior to that, for three years Mr. Martin worked with Objective Systems Integrators as a Senior Project Manager, developing product strategies and designing large-scale Operations Support Systems (OSS). Before that he was with Telcordia (formerly Bellcore) where he led consulting engagements involving business process re-engineering and OSS specification and design. Mr. Martin started his career with US West Communications,

Inc. gaining management experience in OSS deployment, NOC management, UNIX system administration and ATM networking.

Mr. Martin received his B.S. in Electrical Engineering from the University of Colorado at Denver. He also received a Certificate in Advanced Telecommunications Technology from Bell Communications Research in Morristown, NJ.

David G. Ellen, Vice President and General Counsel

As General Counsel, Mr. Ellen is responsible for all legal facets of Eureka's transactions and operations. Among other duties, he oversees contract development for the Company's alliances with real estate owners, network providers, equipment vendors, software developers, and web content and e-commerce companies; supports the Company's capital raising efforts and any merger and acquisition activity; and manages the Company's relationships with outside counsel.

Prior to joining the Company, Mr. Ellen served as senior counsel at Cablevision Systems Corporation with responsibility for a wide range of legal matters focused on Cablevision's new telephone and high-speed Internet businesses. These matters included developing company positions and strategies on key regulatory policy issues, negotiating carrier-to-carrier agreements, and handling special projects for senior executives. He was also responsible for managing the work and billings of numerous outside lawyers.

Prior to joining Cablevision, Mr. Ellen served as special counsel in the Policy Division of the FCC's Common Carrier Bureau advising on the implementation of the Telecommunications Act of 1996 and before that, as senior counsel in the FCC's Office of Plans and Policy, where he advised FCC Chairman Reed Hundt and others on communications matters. Mr. Ellen has also served as a law clerk for Judge (now Justice) Ruth Bader Ginsburg on the U.S. Court of Appeals for the D.C. Circuit, for Judge (now Justice) Stephen Breyer on the U.S. Court of Appeals for the First Circuit, and for Justice Sandra Day O'Connor on the U.S. Supreme Court.

Mr. Ellen received his law degree from Harvard Law School, where he was president of the law review.

Vahan Bachmann, Vice President - Systems Planning and Engineering

At Eureka, Mr. Bachmann is responsible for all technical systems development and is spearheading the design and deployment of a robust and low-latency ASP product for the Company's in-building clients.

Prior to joining the Company, Mr. Bachmann was a Senior Technology Consultant where he designed and implemented complex integration projects for Fortune 100 companies. During this time, he also co-authored two books, "NT Enterprise Network Design" (SYBEX, 1997) and "Networking Complete" (SYBEX, 1999), which focus on NT network design and remote access utilizing Citrix's WinFrame and MetaFrame products.

Prior to consulting, Mr. Bachmann spent time at Corporate Technology, where he developed collaborative systems and Applied Research, where he developed computer architectural designs. Before Applied Research, he was with Bellcore, as a Member of Technical Staff (MTS: designation of Engineers and Scientists). Prior to Bellcore, Mr. Bachmann began his telecommunications career at Bell Laboratories ("Bell Labs") where he worked with the inventors of UNIX. While at Bell Labs, he co-developed high-speed transmitters and receivers for Cray Computers.

Mr. Bachmann, received his B.S. in Electrical Engineering from Pratt Institute in 1989, and while at Bellcore, was awarded a fellowship for graduate studies and obtained his Masters of Electrical Engineering from the University of Southern California in 1992.

Jon (JP) Laqueur, Vice President- Strategic Services

At Eureka Broadband, Mr. Laqueur is responsible for determining overall product and service strategies and partnerships. He will lead a team of seasoned Internet, Web and communications professionals in the development and rollout of Eureka's Internet Access, Software and Application Rental, Systems Integration, Web Portal and Media Distribution services. Additionally, Mr. Laqueur will oversee the execution of all strategic alliances that contribute to the development of Eureka's services and network infrastructure.

Mr. Laqueur is a nine-year veteran of the telecommunications and Internet industries. Recruited from the sales ranks in 1995 to join MCI's elite CyberTeam, Mr. Laqueur developed hands-on experience in planning, marketing and introducing new IP services, including dedicated/dial-up access, managed security platforms, turn-key intranets and web sites, and shared/dedicated hosting and e-commerce solutions.

Since 1991 JP has held a series of service, sales, business development and marketing positions at major telecom carriers (MCI, Qwest), wireless providers (MAP Mobile, PanAmSat), and IT consulting organizations (NDCGroup/Metamor Worldwide). JP served as the VP of Marketing for a Web site startup (APBNews.com) where he negotiated and managed content syndication deals with Yahoo, Snap, MSNBC and Motorola. He is also a co-founder of SeniorPath.com, a new web property targeting online senior citizens.

Sang W. Lee, Vice President-Technology

At Eureka, Mr. Lee is responsible for analysis and review of emerging new technologies for Eureka Broadband. He also develops technology solutions for Eureka incubators, Think Tanks and new development projects. He also leads analysis of technical aspects of Eureka Broadband's network-based products and services.

Prior to joining the Company, Mr. Lee was the Director of Information Technology at Rudin Management Company, where he was responsible for developing, implementing, and maintaining the technology infrastructure within the entire Rudin portfolio of commercial buildings in New York City.

Prior to assuming the role of Director Information Technology, Mr. Lee was Director Information Services at Rudin's New York Information Technology Center at 55 Broad Street, the City's most successful high-technology real estate project. In this role, he worked intensively with 55 Broad Street's tenants to exploit the capabilities of the building's advanced telecommunications infrastructure to meet their specific and demanding requirements.

In addition to his technology background, Mr. Lee has several years of hands-on experience in the New York real estate industry. This experience includes playing a key role in the marketing, leasing, and tenant move-in at 55 Broad Street, which was brought to full occupancy in record time. While at 55 Broad Street, Mr. Lee worked hard to facilitate cooperation and a sense of community among its tenants, helping establish the building's reputation as the premier address for technology companies in New York City.

Matthew McCooe, Vice President & General Manager – New York

Mr. McCooe is responsible for developing relationships with real estate partners within the New York Branch (including Connecticut and Northern New Jersey). In addition to daily management of New York Branch staff, he oversees deployment and maintenance of in-building networks

Prior to joining the Company, Mr. McCooe was a member of MCI's marketing team. In 1996, he undertook the role of Marketing Manager for MCI's start-up joint venture in Mexico, where he designed, positioned, branded and launched MCI's flagship business products, delivering over \$35 million in revenue in year one. In 1994, Mr. McCooe was the Brand Manager for Becton Dickinson, where he launched two new product lines, and tripled revenues for his division.

Mr. McCooe is a graduate of Columbia Business School where he graduated with honors.

ATTACHMENT D

CORPORATE QUALIFICATIONS

DCDOCS:175733.1(3RLH01!.DOC)



FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

July 5, 2000

CT CORPORATION SYSTEM
ATTN; CAROL CLARK

Qualification documents for EUREKA TELECOM, LLC were filed on July 5, 2000, and assigned document number M00000001313. Please refer to this number whenever corresponding with this office.

Your limited liability company is now qualified and authorized to transact business in Florida as of the file date. In accordance with section 608.406(2), F.S., the name of this limited liability company is filed with the Department of State for public notice only and is granted without regard to any other name recorded with the Division of Corporations.

A limited liability company annual report/uniform business report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number will be required before this report can be filed. If you do not already have an FEI number, please apply NOW with the Internal Revenue by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the limited liability company address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please telephone (850) 487-6051, the Registration and Qualification Section.

Michelle Hodges
Document Specialist
Division of Corporations

Letter Number: 500A00037377

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO
TRANSACTION BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 608.503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN
LIMITED LIABILITY COMPANY TO TRANSACTION BUSINESS IN THE STATE OF FLORIDA:

1. EUREKA TELECOM, LLC
(Name of foreign limited liability company)

2. DELAWARE 3. 52-2247045
(Jurisdiction under the law of which foreign limited liability company is organized) (FEI number, if applicable)

4. APRIL 19, 2000 5. PERPETUAL
(Date of Organization) (Duration: Year limited liability company will cease to exist or "perpetual")

6. Upon Qualification
(Date first transacted business in Florida. (See sections 608.501, 608.502, and 817.155, F.S.).)

7. 270 MADISON AVE 6th FLOOR
NEW YORK, NY 10016
(Street address of principal office)

8. If limited liability company is a manager-managed company, check here

9. The usual business addresses of the managing members or managers are as follows:

Eureka Broadband Corporation
270 MADISON AVE 6th FL
New York NY 10016

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
00 JUL -5 PM 1:35

10. Attached is an original certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (A photocopy is not acceptable. If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted.)

11. Nature of business or purposes to be conducted or promoted in Florida: _____

Broadband Telecommunications Service Provider

David Ell
Signature of a member or an authorized representative of a member.
(In accordance with section 608.408(3), F.S., the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true.)

DAVID ELLEN
Typed or printed name of signer

**CERTIFICATE OF DESIGNATION OF
REGISTERED AGENT/REGISTERED OFFICE**

PURSUANT TO THE PROVISIONS OF SECTION 608.415 OR 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT TO DESIGNATE A REGISTERED OFFICE AND REGISTERED AGENT IN THE STATE OF FLORIDA.

1. The name of the Limited Liability Company is:

Eureka Broadband, LLC

2. The name and the Florida street address of the registered agent and office are:

C T Corporation System

(Name)

c/o C T Corporation System, 1200 South Pine Island Road

Florida street address (P.O. Box **NOT** ACCEPTABLE)

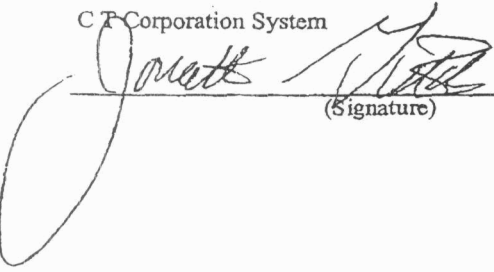
Plantation

FL 33324

City/State/Zip

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, F.S.

C T Corporation System


(Signature)

Jonathan R. Giddings
Assistant Secretary

\$ 100.00 Filing Fee for Application
\$ 25.00 Designation of Registered Agent
\$ 30.00 Certified Copy (optional)
\$ 5.00 Certificate of Status (optional)

**CERTIFICATE OF FORMATION
OF**

EUREKA TELECOM, LLC

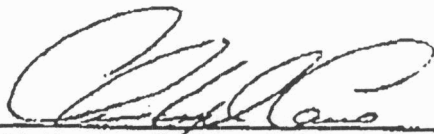
The undersigned, an authorized natural person, for the purpose of forming a limited liability company, under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

FIRST: The name of the limited liability company (hereinafter called the "Limited Liability Company") is:

Eureka Telecom, LLC

SECOND: The address of the registered office of the Limited Liability Company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act in the State of Delaware is Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, in the County of New Castle. The registered agent for service of process at such address is The Corporation Trust Company.

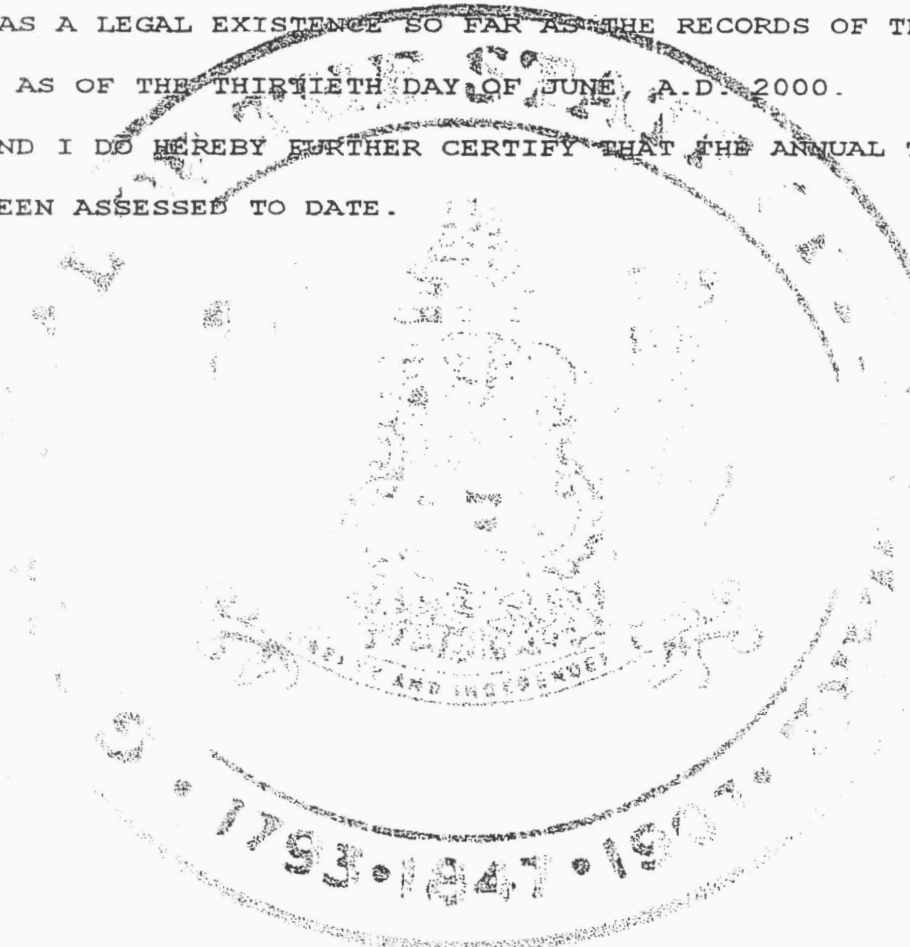
IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation of Eureka Telecom, LLC this 19th day of April, 2000.


Christopher Cano, Authorized Person

State of Delaware
Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "EUREKA TELECOM, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRTIETH DAY OF JUNE, A.D. 2000.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.



3215715 8300

001336513



Edward J. Freel

Edward J. Freel, Secretary of State 0535572

AUTHENTICATION: 06-30-00

DATE:

Alex Levy
345 Bayshore Blvd. #1208
Tampa, FL 33606
(813) 251-6402
email: alevy1@tampabay.rr.com

.....

from the desk of Alex Levy

April 3, 2000

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Attn: Blanca Bayo

RECEIVED FPSC
00 APR -5 AM 10:48
RECORDS AND
REPORTING

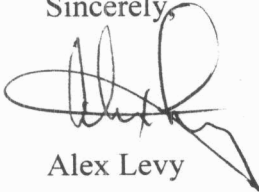
Re: Certificate # 7187

Dear Ms. Bayo:

This is to request that you cancel the referenced certificate number as a regulated utility for payphone service. A certificate was granted to me during the Fall of 1999 after having entered an application. There were no telephones ever installed and the business did not get off the ground. Therefore, there is no business activity to report. I do not have any contention of ever entering the payphone business again, but would like to remain in good standing. I would appreciate your acknowledging this certificate as closed.

If you have any questions or comments, please don't hesitate to contact me at your convenience.

Sincerely,



Alex Levy

MAIL ROOM
00 APR -5 AM 9:44

OFFICE OF THE
COMMISSIONER
STATE OF FLORIDA

Alex Levy

OK
4-5-00

Company Code: TG618

Certificate No(s): 7187

11-12-99

Physical Location: 345 Bayshore Blvd., #1208 Tampa, FL 33606-2348	ENTER CORRECTIONS BELOW: <hr/> <hr/> <hr/>
Mailing Address: 345 Bayshore Blvd., #1208 Tampa, FL 33606-2348	<hr/> <hr/> <hr/>
Liaison Officer(s): 1. Alex Levy, Owner, (813) 251-6402 2. Name, Title, Phone number	<hr/> <hr/>
Fax No(s): (813) 247-3934, Fax 2 E-mail address: alevyl@tampabay.rr.com Web address: Federal Employee ID No.:	<hr/> <hr/> <hr/> <hr/> <hr/>

IMPORTANT NOTE:

The following section is applicable **ONLY** to companies with d/b/a as part of their official company name.

All official correspondence is addressed to the "Mailing Name" of regulated companies. The "Mailing Name" is the last d/b/a of the company's official name. Our records reflect the mailing name shown below for your company. If you prefer to receive official correspondence in another mailing name, please make the change in the space provided. The name can be no longer than 58 characters (including spaces) and **MUST** be part of the official company name.

MAILING NAME:

Alex Levy

*Req to cancel attached
{No Req to cancel}
{need memo}*

COMPLETED BY: _____ **DATE:** _____

Kimberly ~~Boyd~~ ^{Pena}

RAF ACCOUNT

Printed on 08/18/2000 at 08:54:16 by PJI

Alex Levy (TG618)

Period Covered: 01/01/1999-12/31/1999	Actual Return: Yes	Operating Revenue:	\$0.00
Service: PAT	Received RAF Form: No	Interstate Revenue:	\$0.00
Due Date: 01/31/2000	Payment Plan: No	Net RAF Due:	\$0.00
Postmark Date: / /	Extension: No	Refund Issued:	\$0.00
Satisfied: No	RAF Rate:	Fine Paid:	\$0.00
DESCRIPTION	AMOUNT DUE	AMOUNT PAID	AMOUNT OWED
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Additional Payment	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

m/c

M E M O R A N D U M

October 26, 2000

✓ RECEIVED-PPSC

00 OCT 26 PM 2:00

RECORDS AND REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (ELLIOTT) JAE c.f.z.

RE: DOCKET NO. 001189-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 7187 ISSUED TO ALEX LEVY FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

1989-PAA

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER IMPOSING FINE AND REQUIRING PAYMENT OF REGULATORY ASSESSMENT FEES, OR CANCELING PAY TELEPHONE CERTIFICATE, to be issued in the above-referenced docket. (Number of pages in order - 5)

JAE/anc
 Attachment
 cc: Division of Competitive Services (Isler)
 I: 001189or.jae

1m cert.

10 f

RAR Official Filing:

11/21/00*** 12:10 PM*****Linda Williams*****1**

Linda Williams

2224-CD

From: Andrea Cowart
Sent: Tuesday, November 21, 2000 12:07 PM
To: RAR - Orders-Notices
Cc: Susan Howard
Subject: Orders

The following orders have been copied to GCORDERS and are ready for issuance

001158 - 001158co.jae

001189 - 001189co.jae

1/0