

Lance J.M. Steinhart, P.C.
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

January 23, 2001

VIA OVERNIGHT DELIVERY

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

010094-TX

Re: eVoice Telecom, Inc.

Dear Sir/Madam:

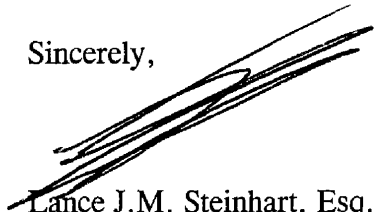
Enclosed please find one original and six (6) copies of eVoice Telecom, Inc.'s (eVoice) Application for Authority to Provide Local Exchange Telecommunications Service Within the State of Florida.

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 eVoice Telecom, Inc.

Enclosures

cc: Jonathan B. Boisseau

DOCUMENT NUMBER-DATE

01024 JAN 24 01

FPSC-RECORDS/REPORTING

EVOICE, INC.
1394 WILLOW ROAD
MENLO PARK, CA 94025
650-330-3700

IMPERIAL BANK
EMERGING GROWTH INDUSTRIES
SAN JOSE, CALIFORNIA 95110
11-3425-1210

9847

1/10/01

PAY TO THE ORDER OF FLORIDA PUBLIC SERVICE COMMISSION

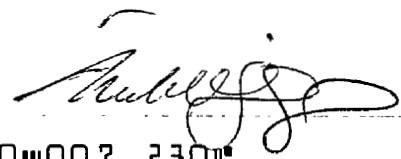
\$ **250.00

Two Hundred Fifty and 00/100*****

DOLLARS

FLORIDA PUBLIC SERVICE COMMISSION

MEMO



⑈009847⑈ ⑆121034256⑆ ⑈20007230⑈

EVOICE, INC.

FLORIDA PUBLIC SERVICE COMMISSION
01/10/01 Bill #C/R 01/10

1/10/01

9847
250.00

Cash - Imperial Bank Chec

250.00

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

DIVISION OF REGULATORY OVERSIGHT
CERTIFICATION SECTION

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 Page 12).

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 Regulatory Oversight
Certification Section
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6480

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:

eVoice Telecom, Inc.

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):

1394 Willow Road

Menlo Park

CA

94025

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

None

6. Structure of organization:

- | | |
|---|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation |
| <input checked="" type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Other _____ | |

7. If individual, provide:

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ Fax No.: _____

Internet E-Mail Address: _____

Internet Website Address: _____

8. If incorporated in Florida, provide proof of authority to operate in Florida:

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

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

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

F01000000399

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):** ⁹⁴⁻³³⁷⁰⁶⁸⁷ _____

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; Suite 285

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: Jonathan B. Boisseau
Title: VP Regulatory Affairs
Address: 1394 Willow Road
City/State/Zip: Menlo Park CA 94025
Telephone No.: (650) 330-3700 Fax No.: (650) 330-3900

Internet E-Mail Address: jon.boisseau@evoice.com
Internet Website Address: www.evoice.com

(c) Complaints/Inquiries from customers:

Name: Cathy Robeck
Title: VP Customer Services
Address: 1394 Willow Road
City/State/Zip: Menlo Park CA 94025
Telephone No.: (650) 330-3700 Fax No.: (650) 330-3900

Internet E-Mail Address: jon.boisseau@evoice.com
Internet Website Address: www.evoice.com

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.

Applicant has applications pending in 9 States.

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

California

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

B. 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.

C. 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.

THIS PAGE MUST BE COMPLETED AND SIGNED

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:

Jonathan B. Boisseau

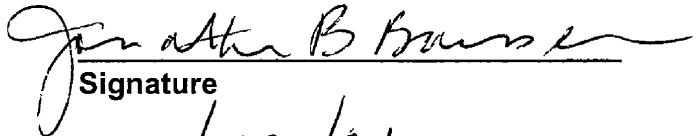
Print Name

VP Regulatory Affairs

Title

(650) 330-3700

Telephone No.



Signature

1/10/01

Date

(650) 330-3900

Fax No.

Address:

1394 Willow Road

Menlo Park

CA

94025

THIS PAGE MUST BE COMPLETED AND SIGNED

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:

Jonathan B. Boisseau

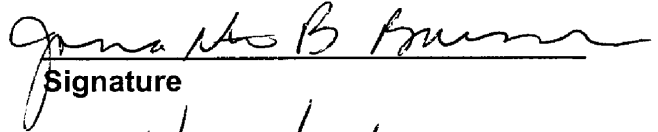
Print Name

VP Regulatory Affairs

Title

(650) 330-3700

Telephone No.



Signature

11/10/01

Date

(650) 330-3900

Fax No.

Address:

1394 Willow Road

Menlo Park

CA

94025

LIST OF ATTACHMENTS

FINANCIAL INFORMATION

MANAGEMENT INFORMATION

STATEMENT OF FINANCIAL CAPABILITY

FINANCIAL INFORMATION

MANAGEMENT INFORMATION

Jonathan Fram

Jonathan Fram joined eVoice as CEO in August 2000. In this role, Fram is responsible for driving company vision, strategic direction, and outreach to the financial community.

Previously, Fram was President of Net2Phone, where he oversaw the expansion of the company's Internet telephone business and the firm's distribution agreements with Internet portals. Fram was also instrumental in building strategic relationships with ISPs and telephone carriers in global markets.

Also prior to eVoice, Mr. Fram was General Manager of New Media at Bloomberg L.P., a global financial news and information company, where he oversaw the company's Internet strategy, including its relationships with more than 30 Internet distribution partners like AOL, SNAP, USATODAY, and Real Networks. Mr. Fram has also served as Bloomberg's General Manager of Television and Radio where he was responsible for the creation of the company's ten television networks and its radio operation.

Fram holds a B.S. in Electrical Engineering and Computer Science from Princeton University.

Mike Januzik

Januzik brings 12 years of broad-based financial management leadership and implementation experience in telecommunications to eVoice including business planning, acquisition analysis, and investor relations.

Januzik is a former Chief Financial Officer of Pacific Bell Information Services where he had total financial responsibility for a \$65 million provider of voice messaging, content and transaction services to more than 68,000 business and 250,000 residential customers in California. He was also responsible for the corporation's consumer broadband (video) effort. Before becoming CFO, during his 12 years at Pacific Bell, Januzik demonstrated increasing leadership in several roles such as Director of Financial Management and Director of Investor Relations.

Before joining eVoice, Januzik was Controller for Avant! Corporation where he was responsible for accounting, treasury, tax, and acquisition analysis for a high growth \$300 million global software company. Prior to Avant! he was Vice President for QuantiLogic, a SEC Registered Investment Advisor, that had as much as \$1.6 billion in assets under management. There he managed the firm with two founders.

Januzik has a MBA from the University of Southern California and a BA in economics and political science from the University of California at Los Angeles. He is also a Chartered Financial Analyst and member of the Security Analysts of San Francisco.

**STATEMENT OF FINANCIAL CAPABILITY
EVOICE TELECOM, INC.**

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 eVoice, Inc.'s Audited Balance Sheets as of December 31, 1998 & December 31, 1999 and Income Statements and Statement of Cash Flows for the periods ending December 31, 1998 & December 31, 1999 is attached to its application. The Balance Sheet as of December 31, 1998 & December 31, 1999 and Financial Statement for the period ending December 31, 1998 & December 31, 1999 demonstrates that the company has a substantial amount of cash. Applicant intends to fund the provision of service through internally generated cash flow and from necessary contributions from its parent company. Applicant also has the ability to borrow funds, if required, based upon its financial capabilities, to provide service in the State of Florida.