

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

COPY

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January 15, 2002

**VIA FEDERAL EXPRESS**

Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

020053-TA

**Re:** Application of Latin American Nautilus USA, Inc. to Provide AAV services

To Whom It May Concern:

Enclosed for filing on behalf of Latin American Nautilus USA, Inc. ("LAN USA") please find an original and six (6) copies of LAN USA's application for authority to provide Alternative Access Vendor services in Florida. Also enclosed is a check in the amount of \$250.00 to cover the application filing fee.

Please date-stamp the enclosed extra copy of this filing and return it in the self-addressed, stamped envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact us.

Respectfully submitted,



Troy F. Tanner

Counsel for Latin American Nautilus USA, Inc.

Enclosures

cc: Eduardo Falzoni  
Rodolfo López Stanic  
Jean L. Kiddoo  
Raquel Bierzwinsky

**This is an application for (check one):**

**Original certificate** (new company).

**Approval of transfer of existing certificate:** Example, a non-certified company purchases an existing company and desires to retain the original certificate authority rather than apply for a new certificate.

**Approval of Assignment of existing Certificate:** Example, a certified company purchases an existing company and desires to retain the existing certificate of authority and tariff.

**Approval for transfer of control:** Example, a company purchases 51% of a certified company. The Commission must approve the new controlling entity.

**2. Name of company:**

Latin American Nautilus USA, Inc.

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

Latin American Nautilus USA, Inc.

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

200 South Biscayne Boulevard  
Suite 4600  
Miami, FL 33131

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

200 South Biscayne Boulevard  
Suite 4600  
Miami, FL 33131

**6. Structure of organization: ✓**

- |  |   |
|--|---|
| <input type="checkbox"/> Individual          | <input checked="" type="checkbox"/> Corporation |
| <input 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.**  
Not Applicable
8. **If incorporated in Florida**, provide proof of authority to operate in Florida:  
(a) **The Florida Secretary of State corporate registration number:**  
P00000114821
9. **If foreign corporation**, provide proof of authority to operate in Florida:  
(a) **The Florida Secretary of State corporate registration number:**  
Not Applicable
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:**  
Not Applicable
11. **If a limited liability partnership**, please proof of registration to operate in Florida.  
(a) **The Florida Secretary of State registration number:**  
Not Applicable
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**  
Not Applicable
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:**  
Not Applicable

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

0651118500

**15. Provide the following (if applicable):**

(a) **Will the name of your company appear on the bill for your services?**  
(✓) Yes ( ) No

(b) **If not, who will bill for your services?**

Not Applicable

(c) **Who will the billed party contact to ask questions about the bill?**

**Name:** Janette Patterson

**Telephone Number:** (786) 425-2460 ext. 104

(d) **How is this information provided?**

Information will be provided in the service contract

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

(a) **The application:**

Jean L. Kiddoo  
Troy F. Tanner  
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007  
(202) 424-8360

with a copy to:

Eduardo Falzoni  
Latin American Nautilus USA, Inc.  
200 South Biscayne Boulevard  
Suite 4600  
Miami, FL 33131

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

Eduardo Falzoni  
Latin American Nautilus USA, Inc.  
200 South Biscayne Boulevard  
Suite 4600  
Miami, FL 33131

Telephone: (786) 425-2460  
Fax: (786) 425-2455  
Email: eduardo.falzoni@lanutilus.com  
Internet Website: <http://www.lanutilus.com>

**(c) Complaints/Inquiries from customers:**

See (b) above

**17. List the states in which the applicant:**

**(a) has operated as an Alternative Access Vendor.**

None

**(b) has applications pending to be certified as an Alternative Access Vendor.**

None

**(c) is certified to operate as an Alternative Access Vendor.**

None

**(d) has been denied authority to operate as an Alternative Access Vendor 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. 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. If so, provide explanation.**

No

**(b) an officer, director, partner or stockholder in any other Florida certified telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.**

No

**19. The applicant will provide the following AAV services (check all that apply):**

- a.  Intraexchange private line service to an affiliate.
- b.  Interexchange private line service to an affiliate.
- c.  Special access as part of a private line dedicated service.
- d.  Special access to an IXC switched network.
- e.  Private line services (Channel Services)
  - DS-0, 64 kb/s
  - DS-1, 1.54 Mb/s
  - DS-2, 6.31 Mb/s
  - DS-3, 44.76 Mb/s

Latin American Nautilus USA, Inc. will provide private line services (E1, T1, E3, DS3, STM1, OC3, OC3c, STM4, OC12c, STM16, OC48c, STM64, OC192c). This capacity will either be transported on an "owned or leased" fiber optic network, or will be delivered on a resale basis through strategic relationships with other carriers. The path will be between the Hollywood Cable Station and various Points of Presence (POP) in the state of Florida including the Greater Miami-Dade area.

As for private line services, current plans call for the deployment of SONET/SDH (Synchronous Optical Network/Synchronous Digital Hierarchy)(from ITU) transmission equipment for the transport of bandwidth within Florida and the United States.

- DS-1 (1.54 Mb/s), E1 (2.048 Mbps), DS-3 (44.76 Mb/s) lines: To be groomed from higher level signal using DACS (Digital Access Cross Connect) and transported to requested location using either "Owned or Leased" network or through strategic relationship with other carriers.

- STM-1,OC3, OC3c(155 Mbps); STM-4,OC12, OC12c(620Mbps); STM-16, OC48, OC48c(2.5 Gbps) SRM64, OC192, OC192c (10 Gbps) lines: To be transported to requested location using either "Owned or Leased" network or through strategic relationship with other carriers.

385303.1

**\*\* APPLICANT ACKNOWLEDGEMENT 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 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 \$250.00 must be submitted with the application.

**5. RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to my provision of alternative access vendor service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding AAV service.

**UTILITY OFFICIAL:**



January 8<sup>th</sup>, 2002

\_\_\_\_\_  
**CEO, Latin American Nautilus USA Inc.**

**Date**

Telephone: (786) 425 2460  
Fax: (786) 425 2455



**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 access vendor 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."**

**OFFICIAL:**



January 8<sup>th</sup>, 2002

**CEO, Latin American Nautilus USA Inc.**

**Date**

Telephone: (786) 425 2460  
Fax: (786) 425 2455

**SERVICE AREA NETWORK**

1. **CURRENT FLORIDA INTRASTATE SERVICES:** Applicant has (-) or has not (+) previously provided intrastate telecommunications in Florida. If the answer is has, fully describe the following:

a) **What services have been provided and when did these services begin?**

Not Applicable

b) **If the services are not currently offered, when were they discontinued?**

Not Applicable

**UTILITY OFFICIAL:**



January 8<sup>th</sup>, 2002

\_\_\_\_\_  
**CEO, Latin American Nautilus USA Inc.**

**Date**

Telephone: (786) 425 2460  
Fax: (786) 425 2455

**EXHIBIT A**

Latin America Nautilus USA, Inc.'s Florida Certificate of Incorporation

# State of Florida



Department of State

I certify from the records of this office that LATIN AMERICAN NAUTILUS U.S.A. INC. is a corporation organized under the laws of the State of Florida, filed on December 15, 2000 .

The document number of this corporation is P00000114821.

I further certify that said corporation has paid all fees due this office through December 31, 2001, that its most recent annual report/uniform business report was filed on May 16, 2001, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.



CR2EO22 (1-99)

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Twenty-fourth day of May, 2001

*Katherine Harris*

Katherine Harris  
Secretary of State