



ORIGINAL

September 12, 2002

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

020986 - TI

Application For Authority to Provide Interexchange Telecommunication Service

Dear Madam or Sir:

Please find enclosed the following documents submitted by 1Com, Inc. d/b/a 1Com South for your approval to Provide Interexchange Telecommunication service within the State of Florida:

1. Completed Application (one original, six copies),
2. Attachments to Application,
3. Florida telecommunications Tariff; and
4. Filing fee of \$250.00.

Please forward the certificate to this office. If you have any questions please call me at (508) 699-1771 or email me at MLevesque@1cominc.com.

Very truly yours,

Michael G. Levesque  
Corporate Counsel  
1COM, Inc.

02 SEP 17 AM 10: 56

DISTRIBUTION CENTER

Check resolved with filing and forwarded to fiscal for deposit. Fiscal to forward deposit information to Records.

Initials of person who forwarded check:

LM

DOCUMENT NUMBER-DATE

09850 SEP 17 02

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

**DIVISION OF REGULATORY OVERSIGHT**  
**CERTIFICATION SECTION**

Application Form for Authority to Provide  
Interexchange Telecommunications Service  
Between Points Within the State of Florida

020986-TI

Instructions

- ◆ This form is used as an application for an original certificate and for approval of 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 16).
- ◆ 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**

Note: **No filing fee is required** for an assignment or transfer of an existing certificate to another company.

- ◆ 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**

1. This is an application for  $\sqrt$  (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:

l Com, Inc. d/b/a l Com South

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

l Com South

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

310 South Street

Plainville, Massachusetts, 02762

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

N/A

6.

Select type of business your company will be conducting  $\sqrt$  (check all that apply):

- Facilities-based carrier** - company owns and operates or plans to own and operate telecommunications switches and transmission facilities in Florida.

- ( ) **Operator Service Provider** - company provides or plans to provide alternative operator services for IXCs; or toll operator services to call aggregator locations; or clearinghouse services to bill such calls.
- (x) **Reseller** - company has or plans to have one or more switches but primarily leases the transmission facilities of other carriers. Bills its own customer base for services used.
- ( ) **Switchless Rebiller** - company has no switch or transmission facilities but may have a billing computer. Aggregates traffic to obtain bulk discounts from underlying carrier. Rebills end users at a rate above its discount but generally below the rate end users would pay for unaggregated traffic.
- ( ) **Multi-Location Discount Aggregator** - company contracts with unaffiliated entities to obtain bulk/volume discounts under multi-location discount plans from certain underlying carriers, then offers resold service by enrolling unaffiliated customers.
- ( ) **Prepaid Debit Card Provider** - any person or entity that purchases 800 access from an underlying carrier or unaffiliated entity for use with prepaid debit card service and/or encodes the cards with personal identification numbers.

7. Structure of organization;

- |                           |                         |
|---------------------------|-------------------------|
| ( ) Individual            | ( ) Corporation         |
| ( X ) Foreign Corporation | ( ) Foreign Partnership |
| ( ) General Partnership   | ( ) Limited Partnership |
| ( ) Other _____           |                         |

8. **If individual**, provide:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_  
Internet E-Mail Address: \_\_\_\_\_  
Internet Website Address: \_\_\_\_\_

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

(a) **The Florida Secretary of State Corporate Registration number:**

\_\_\_\_\_

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

(a) **The Florida Secretary of State Corporate Registration number:**

F 02000003110  
\_\_\_\_\_

11. **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:**

\_\_\_\_\_

12. **If a limited liability partnership**, provide proof of registration to operate in Florida:

(a) **The Florida Secretary of State registration number:** \_\_\_\_\_

13. **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: \_\_\_\_\_

14. **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:** \_\_\_\_\_

15. Provide **F.E.I. Number** (if applicable): \_\_\_\_\_

16. 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?

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

(c) How is this information provided?

\_\_\_\_\_  
\_\_\_\_\_

17. Who will receive the bills for your service?

- Residential Customers                       Business Customers  
 PATs providers                                       PATs station end-users  
 Hotels & motels     Hotel & motel guests  
 Universities                                       Universities dormitory residents  
 Other: (specify) \_\_\_\_\_

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

(a) The application:

Name: Michael G. Levesque, Esquire

Title: Corporate Counsel

Address: 310 South Street

City/State/Zip: Plainville, MA 02762

Telephone No.: 508 699-1771                      Fax No.: 508 699-1779

Internet E-Mail Address: MLevesque@lcominc.com

Internet Website Address: www.lcominc.com

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

Name: Michael G. Levesque, Esquire

Title: Corporate Counsel

Address: 310 South Street, Plainville, MA 02762

City/State/Zip: \_\_\_\_\_

Telephone No.: 508 699 -1771 Fax No.: 508 699-1779

Internet E-Mail Address: MLevesque@lcominc.com

Internet Website Address: www.lcominc.com

(c) Complaints/Inquiries from customers:

Name: michael G. Levesque, esquire

Title: Corporate Counsel

Address: 310 South Street

City/State/Zip: plainville, MA 02762

Telephone No.: 508 699-1771 Fax No.: 508 699-1779

Internet E-Mail Address: MLevesque@lcominc.com

Internet Website Address: www.lcominc.com

19. List the states in which the applicant:

(a) has operated as an interexchange telecommunications company.

Massachusetts, New Hampshire, California

New York, Maine, Vermont, Rhode Island

(b) has applications pending to be certificated as an interexchange telecommunications company.

N/A



(c) is certificated to operate as an interexchange telecommunications company.

Massachusetts, Vermont, Rhode Island, New Hampshire

New York, Maine, California

(d) has been denied authority to operate as an interexchange telecommunications company and the circumstances involved.

N/A

(e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

N/A

(f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

N/A

20. 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, please explain.

Not Applicable  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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.

Not Applicable  
\_\_\_\_\_  
\_\_\_\_\_

21. The applicant will provide the following interexchange carrier services  (check all that apply):

a. \_\_\_\_\_ **MTS with distance sensitive per minute rates**

- \_\_\_\_\_ Method of access is FGA
- \_\_\_\_\_ Method of access is FGB
- \_\_\_\_\_ Method of access is FGD
- \_\_\_\_\_ Method of access is 800

b. \_\_\_\_\_ **MTS with route specific rates per minute**

- \_\_\_\_\_ Method of access is FGA
- \_\_\_\_\_ Method of access is FGB
- \_\_\_\_\_ Method of access is FGD
- \_\_\_\_\_ Method of access is 800

c.  **MTS with statewide flat rates per minute (i.e. not distance sensitive)**

- Method of access is FGA
- Method of access is FGB
- Method of access is FGD
- Method of access is 800

d.  **MTS for pay telephone service providers**

e.  **Block-of-time calling plan (Reach Out Florida, Ring America, etc.).**

f.  **800 service (toll free)**

g.  **WATS type service (bulk or volume discount)**

- Method of access is via dedicated facilities
- Method of access is via switched facilities

h.  **Private line services (Channel Services)**  
(For ex. 1.544 mbs., DS-3, etc.)

i.  **Travel service**

- Method of access is 950
- Method of access is 800

j.  **900 service**

k.  **Operator services**

- Available to presubscribed customers
- Available to non presubscribed customers (for example, to patrons of hotels, students in universities, patients in hospitals).
- Available to inmates

1. **Services included are:**

- \_\_\_\_\_ Station assistance
- \_\_\_\_\_ Person-to-person assistance
- \_\_\_\_\_ Directory assistance
- \_\_\_\_\_ Operator verify and interrupt
- \_\_\_\_\_ Conference calling

22. Submit the proposed tariff under which the company plans to begin operation. Use the format required by Commission Rule 25-24.485 (example enclosed).

23. 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. **A written explanation** that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
2. **A written explanation** that the applicant has sufficient financial capability to maintain the requested service.
3. **A written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.

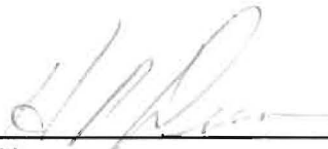
**THIS PAGE MUST BE COMPLETED AND SIGNED**

**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 its 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:**

Harold P. Dunne  
Print Name

  
Signature

President  
Title

September 12, 2002  
Date

508 699-1771  
Telephone No.                      Fax No.

508 699-1779

Address:    310 South Street  
Plainville, MA 02762  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THIS PAGE MUST BE COMPLETED AND SIGNED**

**CUSTOMER DEPOSITS AND ADVANCE PAYMENTS**

A statement of how the Commission can be assured of the security of the customer's deposits and advance payments may be provided in one of the following ways (applicant, please  check one):

- (  ) The applicant will **not** collect deposits nor will it collect payments for service more than one month in advance.
- (  ) The applicant intends to collect deposits and/or advance payments for more than one month's service and will file and maintain a surety bond with the Commission in an amount equal to the current balance of deposits and advance payments in excess of one month.  
(The bond must accompany the application.)

**UTILITY OFFICIAL:**

Harold P. Dunne

**Print Name**

  
\_\_\_\_\_

**Signature**

President

**Title**

September 12, 2002

**Date**

508 699-1771

**Telephone No.**

508 699-1779

**Fax No.**

**Address:**

310 South Street

Plainville, MA 02762

**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 interexchange telecommunications 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:**

Harold P. Dunne

**Print Name**



**Signature**

President

**Title**

September 12, 2002

**Date**

508 699-1771

**Telephone No.**

508 699-1779

**Fax No.**

**Address:** 310 South Street

Plainville, MA 02762



**CURRENT FLORIDA INTRASTATE SERVICES**

Applicant **has** ( ) or **has not** ( X ) 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?

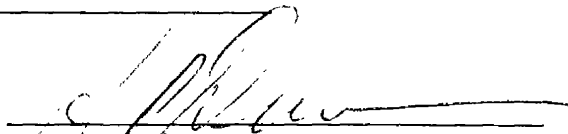
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

**UTILITY OFFICIAL:**

Harold P. Dunne  
\_\_\_\_\_  
**Print Name**

  
\_\_\_\_\_  
**Signature**

President  
\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Date**

508 699 1771  
\_\_\_\_\_  
**Telephone No.**

508 6991779  
\_\_\_\_\_  
**Fax No.**

**Address:** 310 South Street  
\_\_\_\_\_  
Plainville, MA 02762  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATE TRANSFER, OR ASSIGNMENT STATEMENT**

Not Applicable

I, (Name) \_\_\_\_\_,

(Title) \_\_\_\_\_ of \_\_\_\_\_ (Name of Company)

and current holder of Florida Public Service Commission Certificate Number

# \_\_\_\_\_, have reviewed this application and join in the petitioner's request for a:

( ) transfer

( ) assignment

of the above-mentioned certificate.

UTILITY OFFICIAL:

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone No.

\_\_\_\_\_  
Fax No.

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SUMMARY OF QUALIFICATIONS**

- ❖ **SALES MANAGEMENT**- Successful 20-year sales career notable for long-term relationship building with major accounts as well as expertise in quick-turnaround, transaction-level sales of both technical products and business services.
  - Hired, motivated and managed a team of 10 account executives focusing on sales to medium and large accounts generating over \$35K per month in long-distance services.
  - Coached seasoned sales professionals to establish rapport and personal credibility during the highly technical and multi-layered sales process.
  - Promoted a team sales approach at all levels of account development from the initial sales calls to proposal development, personal presentations and program implementation.
  - Individually sold such key account as Phoenix Technologies, Store 24 and Hewlett-Packard.
  - Assisted customers in the design and development of voice and data communication networks.
  - Evaluated competitive offering along with feedback from the field in order to design and develop unique products and customer-specific programs.
  - Produced one of the highest performing teams in the Eastern Division, achieving Circle of Excellence and Chairman's Inner Circle awards based on outstanding revenue production.
  
- ❖ **NEW BUSINESS DEVELOPMENT** - Developed and managed a start-up business unit for territory sales during a period of transition from a telemarketing venue to a field sales venue, growing the unit into one of the company's most successful revenue producers within 18 months.
  - Instrumental in creating the initial business plan as a member of a 6-person management team.
  - Hired entry-level sales representatives to target small to medium sized business account (Transaction level of under \$2,000 per month).
  - Trained new reps in all areas of transactions-level sales including presentation skills, the dynamics of building a sales relationships and technical product knowledge.
  - Motivated and directed the sales team for high performance, consistently achieving over plan for the past 12 months.
  - Managed all day-to-day operations of a branch offices independent from corporate headquarters.

**EMPLOYMENT HISTORY**

1 COM. INC. Plainville, MA <i>Entrepreneur, Started Reseller Business for Local and Long Distance Service for Business.</i>	1997-Present
GLOBAL CROSSING, Stocham, MA <i>Director, Agent Sales / Branch Manager New England Region.</i>	1994-1997
MCI TELECOMMUNICATIONS CORP., Natick, MA <i>Sales Manager, Territory Sales Representation (TSR) Program (1992-94) Manager of Executive Accounts, Eastern Division (1989-92) Senior Account Executive II (1987-89)</i>	1987-1994
DYNACOM, Watertown, MA <i>Account Executive (Telephone Equipment, Electronic Systems &amp; Peripherals)</i>	1984-1987
ADVANCED TELEPHONE/TELPLUS COMMUNICATIONS, Framingham, MA <i>Account Executive (Business Telephone Equipment, Electronic Systems)</i>	1980-1984
LAWRENCE EAGLE TRIBUNE, Lawrence, MA	1987-1980
SOUTH MIDDLESEX NEWS, Framingham, MA <i>District Sales Manager</i>	1973-1978

**EDUCATION and PROFESSIONAL AFFILIATIONS**

**B.S., Business Administration Candidate** at Salem State College (Completed 75% of degree requirements)

Extensive company-sponsored training in technical, management, and sales areas

Member, United Chamber of Commerce (1990-Present)

Chair, Telecommunications and Phone-A-Thon Committees, Arthritis Foundation (1988-Present)

## Statement of Financial Capability

By my signature below, I, Harold P. Dunne, President of **1Com, Inc.**, a corporation duly organized under the laws of the Commonwealth of Massachusetts and duly registered to do business in the State of Florida under the fictitious name 1Com South, affirm that the financial statements included with this application for a Certificate of Authority are, to the best of my knowledge and belief, true and correct.

I further state that **1 Com, Inc.**, as a non-facilities based reseller of long distance and local telephone service, has sufficient financial capacity to provide and maintain our offered service within and without the State of Florida.

Lastly, as a non-facility based reseller, **1 Com, Inc.** neither leases nor owns any tangible property in within the State of Florida.

I set my signature, as President and Chief Executive Officer, upon this statement on this 12<sup>th</sup> day of September, 2002.

A handwritten signature in cursive script, appearing to read "Harold P. Dunne", with a long horizontal flourish extending to the right.

Harold P. Dunne, President

1 COM, INC.

FINANCIAL STATEMENTS

YEARS ENDED DECEMBER 31, 2000 AND 1999

(Unaudited)



**AUERR, MASON & ZAJAC**  
**Certified Public Accountants**

Ben A. Auerr, Jr., CPA, MBA  
Richard J. Mason III, CPA, MST  
John F. Zajac, CPA

29 Dean Ave., P.O. Box 347  
Franklin, MA 02038-0347  
Telephone (508) 528-1305  
Fax (508) 528-8231

43 Robin Hill Road  
Holliston, MA 01746

1 Com, Inc.  
Plainville, MA

We have compiled the accompanying balance sheets of 1 Com, Inc. (an S corporation) as of December 31, 2000 and 1999 and the related statements of income and retained earnings for the years then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any form of assurance on them.

Management has elected to omit substantially all of the disclosures and the statement of cash flows required by generally accepted accounting principles. If the omitted disclosures and the statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Company's financial position, results of operations and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

*Auerr Mason & Zajac*

Certified Public Accountants  
June 4, 2001

1 COM., INC.

BALANCE SHEET

DECEMBER 31, 2000 AND 1999

(unaudited)

	<u>2000</u>	<u>1999</u>
<u>ASSETS</u>		
Current Assets		
Cash	\$ 78,155	\$ -
Accounts Receivable	327,327	90,306
Prepaid Expenses	6,886	390
	<u>412,368</u>	<u>90,696</u>
Property & Equipment	8,429	8,429
Less: Accumulated Depreciation	( 5,424)	( 4,222)
	<u>3,005</u>	<u>4,207</u>
Other Assets		
Deposits	17,500	4,375
TOTAL ASSETS	<u>\$ 432,873</u>	<u>\$ 99,278</u>

LIABILITIES AND STOCKHOLDER'S EQUITY

Current Liabilities		
Accounts Payable & Accrued Expenses	\$ 292,305	\$ 75,199
Accrued Payroll & Sales Taxes	86,090	39,991
Notes Payable	109,589	42,008
	<u>487,984</u>	<u>157,198</u>
Stockholder's Equity		
Common Stock, 200,000 shares authorized, 500 shares issued and outstanding	2,000	2,000
Retained Earnings (Deficit)	( 57,111)	( 59,920)
	<u>( 55,111)</u>	<u>( 57,920)</u>
TOTAL LIABILITIES AND STOCKHOLDER'S EQUITY	<u>\$ 432,873</u>	<u>99,278</u>

See accountants' compilation report.

1 COM, INC.

STATEMENT OF INCOME AND RETAINED EARNINGS

YEAR ENDED DECEMBER 31, 2000 AND 1999

(Unaudited)

	<u>2000</u>	<u>1999</u>
CONTRACT REVENUES	\$ 1,745,796	\$ 461,644
COSTS AND EXPENSES		
Cost of goods sold	1,316,452	163,638
General and administrative	426,535	365,057
	<u>1,742,987</u>	<u>528,695</u>
NET INCOME (LOSS)	2,809	( 67,051)
RETAINED EARNINGS, BEGINNING OF YEAR	( 59,920)	7,131
DIVIDENDS	-	-
RETAINED EARNINGS, END OF YEAR	<u><u>\$ ( 57,111)</u></u>	<u><u>\$ ( 59,920)</u></u>

See accountants' compilation report.



1 COM, INC.  
FINANCIAL STATEMENTS  
SEVEN MONTHS ENDED JULY 31, 2001  
AND  
YEAR ENDED DECEMBER 31, 2000  
(Unaudited)



**AUERR, MASON & ZAJAC**  
**Certified Public Accountants**

29 Dean Ave., P.O. Box 347  
Franklin, MA 02038-0347  
Telephone (508) 528-1305  
Fax (508) 528-8231  
www.amzcpa.com

43 Robin Hill Road  
Holliston, MA 01746

Robert J., CPA, MBA  
John Mason III, CPA, MST  
William J. FA

1 Com, Inc.  
Plainville, MA

We have compiled the accompanying balance sheets of 1 Com, Inc. (an S corporation) as of July 31, 2001 and December 31, 2000 and the related statements of income and retained earnings for the seven months and twelve months then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any form of assurance on them.

Management has elected to omit substantially all of the disclosures and the statement of cash flows required by generally accepted accounting principles. If the omitted disclosures and the statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Company's financial position, results of operations and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

*William Mason & Zajac*

Certified Public Accountants  
August 16, 2001

1 COM, INC.

BALANCE SHEET

JULY 31, 2001 AND DECEMBER 31, 2000

(unaudited)

	<u>ASSETS</u>	
	<u>2001</u>	<u>2000</u>
Current Assets		
Cash	\$ 64,119	\$ 78,155
Accounts Receivable	780,043	327,327
Prepaid Expenses	12,391	6,886
	<u>856,553</u>	<u>412,368</u>
Property & Equipment	19,850	8,429
Less: Accumulated Depreciation	( 7,424)	( 5,424)
	<u>12,426</u>	<u>3,005</u>
Other Assets		
Deposits	18,000	17,500
	<u>18,000</u>	<u>17,500</u>
<b>TOTAL ASSETS</b>	<u>\$ 886,979</u>	<u>\$ 432,873</u>

LIABILITIES AND STOCKHOLDER'S EQUITY

Current Liabilities		
Accounts Payable & Accrued Expenses	\$ 624,616	\$ 292,305
Accrued Payroll & Sales Taxes	200,720	86,090
Notes Payable	99,305	109,589
	<u>924,641</u>	<u>487,984</u>
Stockholder's Equity		
Common Stock, 200,000 shares authorized, 500 shares issued and outstanding	2,000	2,000
Retained Earnings (Deficit)	( 39,662)	( 57,111)
	<u>( 37,662)</u>	<u>( 55,111)</u>
<b>TOTAL LIABILITIES AND STOCKHOLDER'S EQUITY</b>	<u>\$ 886,979</u>	<u>432,873</u>

See accountants' compilation report.

1 COM, INC.

STATEMENT OF INCOME AND RETAINED EARNINGS

SEVEN MONTHS ENDED JULY 31, 2001

AND

TWELVE MONTHS ENDED DECEMBER 31, 2000

(Unaudited)

	<u>2001</u>	<u>2000</u>
CONTRACT REVENUES	\$ 2,929,109	\$ 1,745,796
COSTS AND EXPENSES		
Cost of goods sold	2,262,791	1,316,452
General and administrative	648,869	426,535
	<u>2,911,660</u>	<u>1,742,987</u>
NET INCOME (LOSS)	17,449	2,809
RETAINED EARNINGS, BEGINNING OF YEAR	( 57,111)	( 59,920)
DIVIDENDS	-	-
RETAINED EARNINGS, END OF YEAR	<u>\$ ( 39,662)</u>	<u>\$ ( 57,111)</u>

See accountants' compilation report.

# State of Florida



## Department of State

I certify from the records of this office that 1 COM, INC. doing business in Florida as 1 COM SOUTH, INC., is a corporation organized under the laws of Massachusetts, authorized to transact business in the State of Florida, qualified on May 6, 2002.

The document number of this corporation is F02000003110.

I further certify that said corporation has paid all fees due this office through December 31, 2002, 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 June, 2002



CR2EO22 (1-99)

*Katherine Harris*

Katherine Harris  
Secretary of State

TITLE SHEET

FLORIDA TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service or facilities for Telecommunications Services furnished by 1 Com, Inc., with principal offices in Plainville, Massachusetts. This tariff applies for services furnished within the State of Florida. This tariff is on file with the Florida Public Service Commission ("FPSC") and copies may be inspected, during normal business hours, at the FPSC or at the company's principal place of business.

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Issued Date: 10/01/02

By:

Harold Dunne, President  
1 Com, Inc. d/b/a 1Com South  
310 South Street, Plainville, MA 02762

Effective: \_\_\_\_\_

CHECK SHEET

Pages 1 through 21 inclusive of this tariff are effective as of the date shown at the bottom of the respective page(s). Original and revised pages as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<u>PAGE</u>	<u>REVISION</u>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original

\* New or Revised Page

Issued Date: 10/01/02

By:

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310 South Street, Plainville, MA 02762

Effective: \_\_\_\_\_

TABLE OF CONTENTS

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Issued: 10/01/02

By:

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Effective: \_\_\_\_\_



TARIFF FORMAT

1. Page Numbering - Page numbers appear in the upper right-hand corner of the page. Pages are numbered sequentially. When a new page is added between existing pages with whole numbers, a decimal is added. For example, a new page added between pages 11 and 12 would be page11.1.

2. Page Revision Numbers - Revision numbers also appear in the upper right-hand corner of the page. These numbers are used to indicate the most current page version on file with the FPSC. For example, the 4th Revised Page 13 cancels the 3rd Revised Page 13. A revision may be suspended by the FPSC for further review and consideration. Consult the Check Sheet for the pages currently in effect.

3. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level. The following is an example of the numbering sequence used in this tariff.

2.  
2.1  
2.1.1  
2.1.1.A  
2.1.1.A.1  
2.1.1.A.1.(a)  
2.1.1.A.1.(a).I  
2.1.1.A.1.(a).I.(i)  
2.1.1.A.1.(a).I.(i).(1)

4. Check Sheet - When a tariff filing is made with the FPSC, an updated Check Sheet or Sheets accompany the tariff filing. The Check Sheet(s) lists the page(s) contained in the tariff, with a cross reference to the current Revision Number. When new page(s) are added, the Check Sheet(s) are changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on the Check Sheet(s) if these are the only changes made to them (i.e., the format, etc. remains the same, just revised revision levels on some page(s)). The tariff user should refer to the latest Check Sheet(s) to find out if a particular page is the most current on file with the FPSC.

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SYMBOLS

The following are the only symbols used for the purposes indicated below:

- C - to signify a changed regulation
- D - to signify a discontinue or deleted rate or regulation
- I - to signify a rate increase
- M - to signify tariff information moved to a different page without any change
- N - to signify a new or changed rate or regulation
- R - to signify a rate reduction
- T - to signify a change in text but no change in an existing rate or regulation

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Effective: \_\_\_\_\_

SECTION 1 - DEFINITIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a Customer's location to the Carriers location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable the Carrier to identify the origin of the Customer so it may rate and bill the call. Automatic number identification (ANI) is used as the authorization code wherever possible.

"Carrier" or "Company" - Refers to 1 Com, Inc.

Completed call - A call which the Company's network has determined has been answered by a person, answering machine, fax machine, computer modem device, or other mechanical answering device.

Customer - The person, firm, corporation or other legal entity which orders the services of the Company and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Dedicated Access - The Customer gains entry to the Company's services by a direct path from the Customer's location to the company's point of presence.

Residential customer - A customer who has telephone service at a dwelling and the service is used primarily for domestic or social purposes. All other customers are non-residential customers.

Resp. Org. - Responsible Organization or entity identified by an 8XX service Customer that manages and administers records in the 8XX database and management system.

Service - Any telecommunications service(s) provided by the carrier under these schedules.

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Effective: \_\_\_\_\_

SECTION 1 - DEFINITIONS

Station - A telephone instrument consisting of a connected transmitter, receiver, and associated apparatus to permit sending or receiving telephone messages.

Switched Access - The Customer gains entry to the Company's services by a transmission line that is switched through the local exchange carrier to reach the Company's point of presence.

Telecommunications service - Used throughout this tariff to mean the transmission of any interactive two-way electromagnetic communications, including voice, image, data and information. Transmission of electromagnetic communications includes the use of any media such as wires, cables, television cables, microwaves, radio waves, light waves or any combination of those or similar media.

Time period - Used throughout this tariff to mean the interval of hours that distinguish day, evening, night, and weekend and holiday rate periods. Day is from 8 a.m. up to but not including 5 p.m. local time Monday through Friday. Evening is from 5 p.m. up to but not including 11 p.m. local time Monday through Friday. Night is from 11 p.m. up to but not including 8 a.m. local time Monday through Friday. Weekend is from 12 a.m. Saturday through the weekend hours up to 11:59 p.m. on Sunday. The Company charges evening rates, unless a lower rate (night or weekend) applies, on the following holidays:

New Year's Day, Martin Luther King Jr.'s Birthday, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Underlying Carrier - The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of Customer telecommunications traffic.

FPSC - Used throughout this tariff to mean the Florida Public Service Commission.

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Effective: \_\_\_\_\_

SECTION 2 - RULES AND REGULATIONS

2.1 **Undertaking of the Company**

This tariff contains the rules, regulations and rates applicable to intrastate telecommunications services provided by the Company for telecommunications within the State of Florida. Services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff in compliance with limitations set forth in the FPSC's rules. In-state toll services provided by the Company are provided on a statewide basis and are not intended to be limited geographically. The Company offers service to all those who desire to purchase service from the Company consistent with all of the provisions of this tariff. Customers interested in the Company's services shall provide sufficient information to the Company to fully identify the Customer and the services requested.

2.1.1 The Company may examine the credit record and check the references of all applicants and Customers, prior to accepting the service order, only in accordance with the Fair Credit Reporting Act, and Florida law. The service application shall not in itself obligate the Company to provide services.

2.1.2 The Company may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer only in accordance Florida law, to allow connection of a Customer's location to a service provided by the Company.

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SECTION 2 - RULES AND REGULATIONS

2.1.3 The services provided by the Company are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but may involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers subject to the jurisdiction of the FPSC.

2.2 Use of Services

2.2.1 The use of the Company's services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.

2.2.2 The Company's services are available for use 24 hours per day, seven days per week.

2.2.3 The Company does not transmit messages, but the services may be used for that purpose.

2.2.4 Customers shall not use the service provided under this tariff for any unlawful purpose.

2.2.5 As soon as the Customer becomes aware of such unauthorized use, the Customer is responsible for notifying the Company of any unauthorized use of services.

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310 South Street, Plainville, MA 02762

Effective: \_\_\_\_\_

SECTION 2 - RULES AND REGULATIONS

2.3 **Liability**

2.3.1 The Company's liability for damages arising out of any failure of service shall not exceed an amount equivalent to the proportionate charge to the Customer for the period during which the faults in transmission occur.

2.3.2 The Company is not liable for any act or omission of any entity, other than employees or agents of the Company, furnishing facilities or services connected with or provided in conjunction with the Company's services.

2.4 **Interruption of Service**

2.4.1 The Company will attempt to provide continuous and uninterrupted service. When the Company schedules a service interruption for maintenance or repairs, the Company will notify customers of the cause and expected duration of the interruption at least 24 hours in advance, when possible.

2.4.2 Upon customer request, the Company will credit a Customer's account for service interruptions which are not due to the Company's testing or adjusting less than two continuous hours, negligence of the Customer, or to the failure of channels or equipment provided by the Customer. Before requesting a credit, the Customer will take reasonable steps to verify that the trouble could not have been prevented by the Customer and is not in the Customer's wiring or equipment. For purposes of computing a credit for services, a month consists of 720 hours. The Company will credit the Customer's account at the rate of 1/720th of the monthly charge for the service affected for each full hour of the interruption.

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SECTION 2 - RULES AND REGULATIONS

2.4 **Interruption of Service** (cont'd)

2.4.3 The following formula shall apply for interruptions lasting more than two continuous hours:

$$\text{Credit} - \frac{A \times B}{720}$$

"A" - outage time in hours (must be a continuous duration of two hours or more.)

"B" - total monthly charges for affected service

2.5 **Responsibilities of the Customer**

- 2.5.1 The Customer is responsible for placing any necessary orders and complying with tariff regulations. The Customer is also responsible for the payment of charges for services provided under this tariff.
- 2.5.2 The Customer must use the services offered in this tariff in a manner consistent with the terms of this tariff and the policies and regulations of all state, federal and local authorities having jurisdiction over the service.
- 2.5.3 The Customer is responsible for charges incurred for special construction and/or special facilities which the Customer requests and which are ordered by the Company on the Customer's behalf.
- 2.5.4 If required for the provision of the Company's services, the Customer must provide any equipment space, supporting structure, conduit and electrical power without charge to the Company.
- 2.5.5 The Customer is responsible of ensuring that the customer premise equipment is compatible with the Company's facilities or services.

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SECTION 2 - RULES AND REGULATIONS

2.5 **Responsibilities of the Customer** (cont'd)

- 2.5.6 The Customer must pay the Company for replacement or repair of damage to the service or facilities of the Company caused by negligence or willful act of the Customer, by improper use of the services, or by use of service provided by Customer.
- 2.5.7 The Customer must pay for the loss through theft of any Company's service connected at Customer's premises only if the Customer has failed to take reasonable precautions to prevent such theft of service.

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SECTION 2 - RULES AND REGULATIONS

2.6 **Cancellation or Limitation of Services**

- 2.6.1 The Company may discontinue furnishing services, or limit the use of service, in accordance with FPSC Rules 3.300 for residential Customers or 3.400 for non-residential Customers.
- 2.6.2 Service may be terminated by the Company by blocking traffic, either in its entirety or only to certain locations or NXX exchanges, or by blocking calls using certain Customer authorization.
- 2.6.3 The Customer may terminate service at any time upon oral or written notice for the Company's standard month to month service. Customer will be liable for all usage on any of the Company's service offerings until the Customer actually terminates the service.
- 2.6.4 If a customer accumulates undisputed delinquent 8XX service charges and service is consequently terminated, the toll free numbers are not portable.

2.7 **Restoration of Service**

A reconnection fee of 25.00 per occurrence is charged when service is re-established for customers who had been disconnected for non-payment.

2.8 **Deposits and Advance Payments**

The Company does not require a deposit from the Customer. For Customers whom the Company feels an advance payment is necessary, the Company reserves the right to collect an amount not to exceed one (1) month's estimated charges as an advance payment of service. This will be applied against the next month's charges and if necessary a new advance payment will be collected for the next month.

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SECTION 2 - RULES AND REGULATIONS

2.9 **Taxes & Surcharges**

All federal, state and local taxes, imposed on the customer, including the Florida Universal Service Fund Surcharge, fees, sales taxes, and use taxes, are billed as separate line items and are not included in the rates quoted in this tariff. All federal, state and local taxes, sales taxes, use taxes, assessments, surcharges, or fees imposed on the Company are included in the rates quoted in this tariff.

2.10 **Late Charges**

A late payment charge of 1.5% per month will be assessed on unpaid balances more than thirty days old.

2.11 **Returned Check Charge**

A return check charge of \$25.00 will be assessed for checks returned for insufficient funds if the face value does not exceed \$50.00, \$30.00 if the face value does exceed \$50.00 but does not exceed \$300.00, \$40.00 if the face value exceeds \$300.00 or 5% of the value of the check, whichever is greater.

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Effective: \_\_\_\_\_

SECTION 2 - RULES AND REGULATIONS

2.12 Computation of Charges

- 2.12.1 When rates for service are based on airline mileage between rate centers of the calling and called stations, the location of Rate Centers is based on mileage calculated using the Vertical and Horizontal (V&H) coordinate system reflected in AT&T's FCC Tariff No. 10.
- 2.12.2 Timing begins when the called station is answered and two-way communication is possible, as determined by standard industry methods. Timing for each call ends when either party hangs up. The Company will not bill for uncompleted calls. Calls originating in one time period and terminating in another time period will be billed according to the rates in effect during each portion of the call.

Customer Complaints and/or Billing Disputes

- 2.13.1 Customer disputes shall be handled in accordance with the dispute resolution processes promulgated by the State of Florida.

Customer inquiries or complaints regarding service or accounting may be made to the Company in writing, telephone, or any other mutually agreeable means of communication. The Company shall provide an address and toll-free telephone number to the customer for lodging complaints, inquiries or disputes with each bill rendered. The Company shall provide representatives or agents to receive such customer communication who have authority and information to fully resolve customer complaints or disputes.

In the event of a dispute concerning an invoice, the customer must pay a sum equal to the amount of the undisputed portion of the bill. The Company shall continue to treat disputed portions of a customer's bill as disputed so long as the consumer continues to pursue a dispute resolution at the Company, the Florida Department of Public Service, or the FPSC. If the customer has requested resolution of a dispute by the Department, the Company shall consider the dispute

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Effective: \_\_\_\_\_

SECTION 2 - RULES AND REGULATIONS

2.13 **Customer Complaints and/or Billing Disputes** (cont'd)

2.13.1 active until otherwise notified by the Department or ordered by the FPSC. Adjustments to Customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

2.14 **Level of Service**

A Company shall provide end to end network availability of not less than P.01 (not more than 1% of calls blocked) at all times for all services.

2.15 **Florida Universal Service Fund**

All Customers are subject to a Florida Universal Service Fund surcharge. The surcharge is determined by applying it on most services contained in this tariff. Those services not subject to the surcharge are noted throughout the tariff. The rate of the surcharge shall be equal to the rate set annually by the FPSC.

2.16 **Uniform Rate Disclosure**

2.16.1 When the Company provides or is required to provide rate information, it shall disclose recurring rates to the customer on bills in the following units:

2.16.1.1 Usage (when the customer is billed by duration of usage), dollars per minute, along with the duration of the billing increment and the duration of any minimum duration per message;

2.16.1.2 Usage (when the customer is billed by the message or a per message surcharge is imposed), dollars per message;

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310 South Street, Plainville, MA 02762

2.16        **Uniform Rate Disclosure** (cont'd)

2.16.1.3 Availability of service (when the customer is billed a periodic recurring charge for availability of the service, regardless of the level of usage), dollars per month, along with the billing period.

2.16.1.4 Minimum charge (when the customer is billed a minimum charge when other charges do not exceed a certain threshold), dollars per billing period, along with the length of the billing period.

2.16.1.5 At such times, the Company shall also disclose the length of the interval at which it will bill the customer.

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SECTION 3 - DESCRIPTION OF SERVICE

3.1 **Service Offerings**

1 Com, Inc. will resell local and long distance telecommunications services to business and residential customers. This may include, but is not limited to local and long distance calling cards.

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Issued: 10/01/02

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Effective: \_\_\_\_\_

SECTION 4 - RATES

4.1 **Outbound Service**

Unvalidated Account Codes - \$10.00 per month per service location

Validated Account Codes - \$10.00 per month per service location

Usage Rates

Base rates

Switched Access \$.059/six seconds

Dedicated Access \$.039/six seconds

**Toll-Free Service**

Switched Access - \$10.00 per month per toll-free number

Dedicated Access - \$25.00 per month per toll-free number

Usage Rates

Base rates

Switched Access \$.059/six seconds

Dedicated Access \$.039/six seconds

**Calling Card Service**

Usage charge \$0.179 per minute, plus \$0.40 per call

Directory Assistance \$0.69 per call

1 COM offers its services seven days a week, 24 hours per day.

4.2 **Special rates for the Handicapped**

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Issued: 10/01/02

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310 South Street, Plainville, MA 02762

Effective: \_\_\_\_\_



4.2.1. **Directory Assistance**

There shall be no charge for up to fifty calls per billing cycle from lines or trunks serving individuals with disabilities. The Company shall charge the prevailing tariff rates for every call in excess of fifty within a billing cycle.

4.2.2. **Hearing and Speech Impaired Persons**

Intrastate toll message rates for TDD users shall be evening rates for daytime calls and night rates for evening and night calls.

4.2.3. **Telecommunications Relay Service**

For intrastate toll calls received from the relay service, the Company will when billing relay calls discount relay service calls by fifty percent off of the otherwise applicable rate for a voice nonrelay call except that where either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted sixty percent off of the otherwise applicable rate for a voice nonrelay call. The above discounts apply only to time-sensitive elements of a charge for the call and shall not apply to per call charges such as a credit card charge.

**SECTION 5 - PROMOTIONAL OFFERINGS**

5.1 **Promotions:**

5.1.1 The Company may, from time to time, as filed and approved by the FPSC, offer promotions to enhance the marketing of its services. These offerings may be limited to certain dates, times and locations, and will be made part of this tariff.

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