



210 N. Park Ave.  
Winter Park, FL  
32789

December 4, 2002  
**Overnight**

P.O. Drawer 200  
Winter Park, FL  
32790-0200

Blanca Bayo, Director  
Division of the Commission Clerk & Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0870

Tel: 407-740-8575  
Fax: 407-740-0613  
tmi@tminc.com

RE: Application of **ACN Communication Services, Inc.** for authority to provide  
Alternative Local Exchange Service within the State of Florida

Dear Ms. Bayo:

Enclosed for filing are the original and six (6) copies of the above-referenced application of  
ACN Communication Services, Inc.

Also enclosed is a \$250 check to cover the filing fee.

Attachment III of this application contains the financial statements of ACN Communication  
Services, Inc., which are being filed, under separate cover, concurrently with this application.

Please acknowledge receipt of this filing by returning, filed stamped, the extra copy of this letter  
in the self-addressed stamped envelope.

I may be reached at (407) 740-8575 or via email at [mbyrnes@tminc.com](mailto:mbyrnes@tminc.com) with any questions,  
comments or correspondence regarding this application. Thank you for your assistance.

Sincerely,

Monique Byrnes  
Consultant to  
ACN Communication Services, Inc.

MB/sp

cc: L. Lezotte - ACN  
file: ACN - FL Local  
tns: fl10200

DOCUMENT RECEIVED

13270 DEC-8 2002

FPSC-COMMISSION CLERK

**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 a certificate and for approval of the assignment or transfer of an existing certificate. In 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  
2450 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
(850) 413-6770**

- If you have and questions about completing the form, contact:

**Florida Public Service Commission  
Division of Regulatory Oversight  
Certification Section  
2450 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
(850) 413-6600**

# APPLICATION

1. This is an application for  (check one):

**Original certificate** (new company)

**Approval of transfer of existing certificate:** Example, a non-certificated company purchases an existing company and desires to retain the original certificate authority.

**Approval of assignment of existing certificate:** Example, a certificated company purchases an existing company and desires to retain the original certificate 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:**

ACN Communication Services, Inc.

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

Not applicable

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

**Name:** ACN Communication Services, Inc.

**Street:** 32991 Hamilton Court

**P.O. Box:**

**City:** Farmington Hills.

**State:** Michigan

**Zip Code:** 48334

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

The Company will not have a physical location within the State of Florida.

**Name:**

**Street:**

**P.O. Box:**

**City:**

**State:**

**Zip Code:**

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:** Not applicable  
**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:**

Not applicable

**The Florida Secretary of State corporate registration number:**

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

**The Florida Secretary of State corporate registration number:** F99000005964

10. **If using fictitious name-d/b/a, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:**

Not applicable

**The Florida Secretary of State fictitious name registration number:**

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

Not applicable

**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:** Not applicable  
**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.**

**The Florida registration number:** Not applicable

14. **Provide F.E.I. Number (if applicable):** 38-3483729

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 officer, director or stockholder of the Company has been adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime. No officer, director or stockholder of the Company is involved in proceedings which may result in such action.

(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 officer, director, partner or stockholder of the Company has been an officer, director or stockholder in any other Florida certificated telephone company.

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

(a) The application:

**Name:** Monique Byrnes  
**Title:** Consultant to ACN Communication Services, Inc.  
**Address:** P.O. Drawer 200  
**City, State, Zip:** Winter Park, FL 32790-0200  
**Telephone No.:** (407) 740-8575  
**Fax No.:** (407) 740-0613  
**Internet E-Mail Address:** mbyrnes@tminc.com  
**Internet Website Address:** www.tminc.com

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

**Name:** Lisa Lezotte  
**Title:** Regulatory Affairs Manager  
**Address:** 32991 Hamilton Court  
**City, State, Zip:** Farmington Hills, Michigan 48333  
**Telephone No.:** (248) 699-3314  
**Fax No.:** (248) 489-8901  
**Internet E-Mail Address:** llezotte@acninc.com  
**Internet Website Address:** www.acninc.com

(c) Complaints/Inquiries from customers:

**Name:** Lance Beck  
**Title:** Vice President - Call Center Operations  
**Address:** 411 Third Street  
**City, State, Zip:** Gwinn, Michigan 49841  
**Telephone No.:** (906) 227-7402  
**Fax No.:** (906) 346-5756  
**Internet E-Mail Address:** lbeck@acninc.com  
**Internet Website Address:** www.acninc.com

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

- (a) **has operated as an alternative local exchange company**

The Company has not yet begun local service operations in any state.

- (b) **has applications pending to be certificated as an alternative local exchange company.**

Maryland and Pennsylvania.

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

California, Michigan, New York, Ohio and Texas.

- (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.**

Please see Exhibit II.

- 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.**

ACN will operate as both a reseller and UNE-P provider of local services over facilities provided by the underlying LEC carrier(s). The underlying carriers perform all local switching, routing and call completion functions. The Company, being an authorized provider of interexchange telecommunications service in 49 states, has extensive experience working with underlying carriers and is knowledgeable about the local exchange marketplace.

- 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.

As indicated on Exhibit III to this application, ACN is submitting the audited financial statements of American Communications Network, Inc. and Subsidiaries, ACN's parent company, under Seal as Confidential.

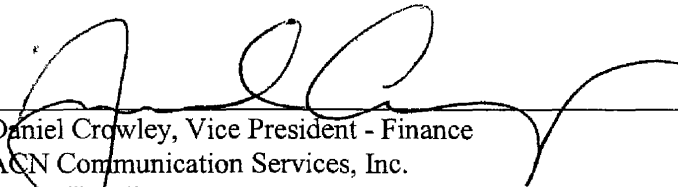


THIS PAGE MUST BE COMPLETED AND SIGNED

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 this application.

UTILITY OFFICIAL:



Daniel Crowley, Vice President - Finance  
ACN Communication Services, Inc.  
32991 Hamilton Court  
Farmington Hills, Michigan 48333  
Telephone: (248) 699-4000  
Facsimile: (248) 489-8901

11/19/02  
Date

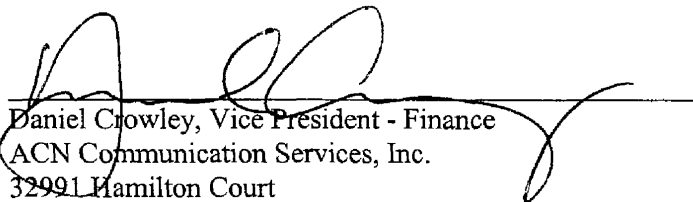
THIS PAGE MUST BE COMPLETED AND SIGNED

**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 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:**



\_\_\_\_\_

Daniel Crowley, Vice President - Finance  
ACN Communication Services, Inc.  
32991 Hamilton Court  
Farmington Hills, Michigan 48333  
Telephone: (248) 699-4000  
Facsimile: (248) 489-8901

11/19/02  
\_\_\_\_\_  
Date

**INTRASTATE NETWORK** (if available)

Chapter 25-24.825 (5), Florida Administrative Code, requires the company to make available to staff the alternative local exchange service areas only upon request.

1. **POP:** Addresses where located, and indicate if owned or leased:

None

- |    |    |
|----|----|
| 1) | 2) |
| 3) | 4) |

2. **SWITCHES:** Address where located, by type of switch, and indicate if owned or leased:

None

- |    |    |
|----|----|
| 1) | 2) |
| 3) | 4) |

3. **TRANSMISSION FACILITIES:** POP-to-POP facilities by type of facilities (microwave, fiber, copper, satellite, etc.) And indicate if owned or leased.

None

Type of POP-to POP

Owned or Leased

- |    |  |
|----|--|
| 1) |  |
| 2) |  |
| 3) |  |
| 4) |  |

**CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT**

**NOT APPLICABLE**

I, (Name and 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:

- Sale
- Transfer
- Assignment

of the above mentioned certificate.

**UTILITY OFFICIAL:**

---

Name, Title  
Company  
Street  
City, State, Zip  
Phone:  
Fax:  
Toll Free:

---

Date

**ACN Communication Services, Inc.**

Exhibit I

Secretary of State

and

Articles of Incorporation



FLORIDA DEPARTMENT OF STATE  
Katherine Harris  
Secretary of State

November 17, 1999

C T CORPORATION SYSTEM  
TALLAHASSEE, FL

Qualification documents for ACN COMMUNICATION SERVICES, INC. were filed on November 17, 1999 and assigned document number F99000005964. Please refer to this number whenever corresponding with this office.

Your corporation is now qualified and authorized to transact business in Florida as of the file date.

The certification you requested is enclosed.

A corporation annual 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 corporate address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please telephone (850) 487-6091, the Foreign Qualification/Tax Lien Section.

Buck Kohr  
Corporate Specialist  
Division of Corporations

Letter Number: 599A00055283

# State of Florida



## Department of State

I certify from the records of this office that ACN COMMUNICATION SERVICES, INC., is a corporation organized under the laws of Michigan, authorized to transact business in the State of Florida, qualified on November 17, 1999.

The document number of this corporation is F99000005964.

I further certify that said corporation has paid all fees due this office through December 31, 1999, 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  
Seventeenth day of November, 1999



CR2EO22 (1-99)

*Katherine Harris*

Katherine Harris  
Secretary of State

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the application by ACN COMMUNICATION SERVICES, INC., a Michigan corporation, authorized to transact business within the State of Florida on November 17, 1999 as shown by the records of this office.

The document number of this corporation is F99000005964.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Seventeenth day of November, 1999



CR2EO22 (1-99)

*Katherine Harris*

Katherine Harris  
Secretary of State



APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. ACN COMMUNICATION SERVICES, INC. (Name of corporation: must include the word "INCORPORATED", "COMPANY", "CORPORATION", or words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of a natural person or partnership if not so contained in the name at present.)

2. Michigan (State or country under the law of which it is incorporated) 3. 38-3483729 (FEI number, if applicable)

4. April 30, 1999 (Date of incorporation) 5. Perpetual (Duration: Year corp. will cease to exist or "perpetual")

6. 3-1-2000 (Date first transacted business in Florida. (See sections 607.1501, 607.1502, and 817.155, F.S.))

7. 32991 Hamilton Court, Farmington Hills, Michigan 48334 (Current mailing address)

8. Purchasing and resaling of local and long distance phone services, and paging services (Purpose(s) of corporation authorized in home state or country to be carried out in the state of Florida)

9. Name and street address of Florida registered agent:

Name: C T Corporation System Office Address: c/o C T Corporation System, 1200 South Pine Island Road Plantation, Florida, 33324 (Zip Code)

10. Registered agent acceptance: Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application. 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 relative to the proper and complete performance of my duties, and I am familiar with and accept the obligation of my position as registered agent.

C T Corporation System (Registered agent's signature) (Officer)

Marc A. Gillis, Asst. Sec'y (Type Name and Title of Officer)

FILED - STATE DEPARTMENT OF CORPORATIONS 99 NOV 17 PM 3:22

11. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

12. Names and addresses of officers and/or directors:

A. DIRECTORS

Chairman: \_\_\_\_\_

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

\_\_\_\_\_

Vice Chairman: \_\_\_\_\_

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

\_\_\_\_\_

Director: see attached list of directors

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

\_\_\_\_\_

Director: \_\_\_\_\_

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

\_\_\_\_\_

FILED STATE  
SECRETARY OF CORPORATIONS  
9 6 AM NOV 17 PM 3: 22

B. OFFICERS

President: Greg Provenzano

Address: 11515 Vanstory Drive Ste 140

Huntersville, North Carolina 28078

Vice President: \_\_\_\_\_

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

\_\_\_\_\_

Secretary: Jayne Diorka

Address: 32991 Hamilton Court

Farmington Hills, Michigan 48334

Treasurer: Jayne Diorka

Address: 32991 Hamilton Court

Farmington Hills, Michigan 48334

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors.

13. *Jayne Diorka*

(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)

14. Jayne Diorka, Secretary-Treasurer

(Typed or printed name and capacity of person signing application)

99 NOV 17 PM 3:22  
DIVISION OF CORPORATIONS

Appendix to Florida  
Application by Fgn. Corp. for Authorization to Transact Business in Florida

**Directors of  
ACN COMMUNICATION SERVICES, INC.**

---

1. Greg Provenzano  
11515 Vanstory Drive Ste 140  
Huntersville, North Carolina 28078
2. Robert Stevanovski  
11515 Vanstory Drive Ste 140  
Huntersville, North Carolina 28078
3. Anthony Cupisz  
32991 Hamilton Court  
Farmington Hills, Michigan 48334
4. J.D. Sullivan  
32991 Hamilton Court  
Farmington Hills, Michigan 48334
5. David Stevanovski  
32991 Hamilton Court  
Farmington Hills, Michigan 48334

11-19  
SECRETARY OF SMALL  
BUSINESS  
DIVISION OF CORPORATIONS  
99 NOV 17 PM 3: 22

MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES  
CORPORATION, SECURITIES AND LAND DEVELOPMENT BUREAU

Date Received	

(FOR BUREAU USE ONLY)

**FILED**

APR 30 1999

Name David L. Steinberg, P.C.		
Address 1760 South Telegraph Road, Suite 300		
City Bloomfield Hills, MI	State MI	Zip Code 48302

Administrator  
CORP. SECURITIES & LAND DEV. BUREAU

04/26/1999 CSBKJELD  
Trans 01340417

ACN

00013724  
Total \$60.00

Corps Org & Filing & LLC art

EFFECTIVE DATE:

Document will be returned to the name and address you enter above

105-21A

**ARTICLES OF INCORPORATION**  
**For use by Domestic Profit Corporations**  
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972, the undersigned corporation executes the following Articles:

**ARTICLE I**

The name of the corporation is:

ACN Communication Services, Inc.

**ARTICLE II**

The purpose or purposes for which the corporation is formed is to engage in any activity within the purposes for which corporations may be formed under the Business Corporation Act of Michigan.

**ARTICLE III**

The total authorized shares:

1. Common Shares 60,000

Preferred Shares -0-

2. A statement of all or any of the relative rights, preferences and limitations of the shares of each class is as follows:

ARTICLE IV

1. The address of the registered office is:

32991 Hamilton Court, Farmington Hills, Michigan 48334  
(Street Address) (City) (ZIP Code)

2. The mailing address of the registered office, if different than above:

\_\_\_\_\_, Michigan \_\_\_\_\_  
(Street Address or P.O. Box) (City) (ZIP Code)

3. The name of the resident agent at the registered office is: David L. Steinberg, Esq.

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name	Residence or Business Address
<u>David L. Steinberg</u>	<u>1760 S. Telegraph Rd., Ste. 300</u> <u>Bloomfield Hills, MI 48302</u>

ARTICLE VI (Optional. Delete if not applicable)

When a compromise or arrangement or a plan of reorganization of this corporation is proposed between this corporation and its creditors or any class of them or between this corporation and its shareholders or any class of them, a court of equity jurisdiction within the state, on application of this corporation or of a creditor or shareholder thereof, or on application of a receiver appointed for the corporation, may order a meeting of the creditors or class of creditors or of the shareholders or class of shareholders to be affected by the proposed compromise or arrangement or reorganization, to be summoned in such manner as the court directs. If a majority in number representing 3/4 in value of the creditors or class of creditors, or of the shareholders or class of shareholders to be affected by the proposed compromise or arrangement or a reorganization, agree to a compromise or arrangement or a reorganization of this corporation as a consequence of the compromise or arrangement, the compromise or arrangement and the reorganization, if sanctioned by the court to which the application has been made, shall be binding on all the creditors or class of creditors, or on all the shareholders or class of shareholders and also on this corporation.

ARTICLE VII (Optional. Delete if not applicable)

Any action required or permitted by the Act to be taken at an annual or special meeting of shareholders may be taken without a meeting, without prior notice, and without a vote, if consents in writing, setting forth the action so taken, are signed by the holders of outstanding shares having not less than the minimum number of votes that would be necessary to authorize or take the action at a meeting at which all shares entitled to vote on the action were present and voted. The written consents shall bear the date of signature of each shareholder who signs the consent. No written consents shall be effective to take the corporate action referred to unless, within 60 days after the record date for determining shareholders entitled to express consent to or to dissent from a proposal without a meeting, written consents dated not more than 10 days before the record date and signed by a sufficient number of shareholders to take the action are delivered to the corporation. Delivery shall be to the corporation's registered office, its principal place of business, or an officer or agent of the corporation having custody of the minutes of the proceedings of its shareholders. Delivery made to a corporation's registered office shall be by hand or by certified or registered mail, return receipt requested.

Prompt notice of the taking of the corporate action without a meeting by less than unanimous written consent shall be given to shareholders who would have been entitled to notice of the shareholder meeting if the action had been taken at a meeting and who have not consented in writing.

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

VIII  
ARTICLE VIII

All stock shall be deemed Section 1244 stock pursuant to the IRS Code as amended.

I, (We), the incorporator(s) sign my (our) name(s) this 23 day of April, 1999.

*David L. Steinberg*

DAVID L. STEINBERG

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**ACN Communication Services, Inc.**

Exhibit II

Management Profiles



**ACN Communication Services, Inc.**  
**Management Profiles**

**Charles Barker - Chief Executive Officer - North America**

Charles Barker is the Chief Executive Officer - North America for ACN has over 17 years of telecommunications experience. Prior to joining ACN he was Chief Financial Officer of Global Carrier Services for Global Crossing where, among other responsibilities, he oversaw strategic and product development analysis, customer provisioning and negotiations, billing and forecasting. Mr. Barker also held the position of Chief Financial Officer for North America Carrier Services with the Frontier Corporation and also served as Corporate Controller for Frontier. He worked for eleven years with PricewaterhouseCoopers LLP where his primary assignment was the Frontier Corporation audit. Mr. Barker has a bachelor's degree in accounting from Clemson University and is a Certified Public Accountant.

**James F. Mulcahy - Secretary**

James F. Mulcahy is the Secretary and Chief Operating Officer - Europe for ACN and has more than 20 years experience in corporate finance, including specific expertise in general accounting, credit and collection operations, financial reporting, budgeting and planning. Prior to joining ACN, he was Vice President International Carrier Finance for Global Crossing where he was responsible for the organization of credit and collection. From 1994 until 2000 Mr. Mulcahy worked for Frontier Corporation in various positions including Managing Director UK, Vice President Finance, Vice President Corporate Operations and Vice President Finance and CFO - FCI Long Distance. Prior to Frontier he held various executive level positions with the Dun & Bradstreet Corporation. Mr. Mulcahy has a BBA. in Accounting and an MBA in Finance from Pace University.

**ACN Communication Services, Inc.  
Management Profiles, (Cont'd.)**

**Dan Crowley - Vice President, Finance**

Dan Crowley is the Vice President, Finance, North America for ACN, Inc., a telecommunications reseller based in Farmington Hills, MI. In this role, Dan is responsible for all financial operations of this \$100 Million division, including accounting, finance, credit & collections and corporate tax.

Before joining ACN in August 2002, Dan provided strategic advisory services to companies in the CLEC and ISP markets. Dan helped launch Carrier Trust Company, which focused on financing alternatives for carriers and he also completing work on the Excite@Home reorganization and transitional strategy plan.

Dan left IQ Labs, Inc. in November of 2001, where he was the Vice President of business and product development. IQ Labs makes enterprise software that automates the provisioning process for enterprise communications equipment. In this role, Dan built the strategic plan that helped the company secure \$12 Million in venture funding. He also successfully re-crafted the company's product strategy to align it with enterprise customer's needs.

Prior to joining IQ Labs in July of 2000, Dan held various business and product development positions for Qwest Communications (formerly U S WEST) in the !NTERPRISE Networking Data business. !NTERPRISE was created by U S WEST in 1992 to address the advanced data and network integration needs of customers in its 14 Western and Midwestern states. As Director of product development, Dan led the team that conceived and launched the company's E-Commerce offerings. Previously, he was Director of business development for !NTERPRISE where he directed partnering and investment activity in the Internet and broadband sectors. Dan began his career at U S WEST in 1997 as Director of business development for U S WEST Long Distance, and moved to !NTERPRISE in 1998.

Before joining U S WEST, Dan was a member of the corporate development team at Frontier Corporation, in Rochester, New York, which merged with Global Crossing in 1998. While there, Dan helped complete seven acquisitions valued at over \$2 Billion. He also contributed to the groundbreaking Open Market Plan, which opened the local telephone markets of Frontier to competition. The Open Market Plan eventually served as a major blueprint for the Telecommunications Act of 1996, which sought to introduce local telephony competition across the country. Dan joined Frontier in 1994 after holding various positions with The Chase Manhattan Bank in corporate finance.

Dan graduated with a Bachelor of Science degree in business administration from the California State University at Humboldt and received an MBA from St. Bonaventure University in Olean, New York.

**ACN Communication Services, Inc.**  
**Management Profiles, (Cont'd.)**

**Lance Beck - Vice President, Call Center Operations**

Lance Beck, Vice President of Call Center Operations of ACN, brings over 11 years of customer service and call center operational experience to the ACN team. After graduating from Hendrix College in Conway, Arkansas with a B.A. in International Relations, Lance worked for MCI Telecommunications progressing from front-line support of Spanish-speaking customers to managing training development and implementation for MCI's Consumer Markets. Upon leaving MCI, Lance joined Excel Telecommunications as the Manager of Training and Development. At Excel, Lance developed the customer service strategy and training to support it. In addition, he was significantly involved in the establishment of two new call centers and promoting the benefits of multi-site operations. Expanding his experience, Lance joined WinStar Communications as a Call Center Manager obtaining first hand call center knowledge and applying many years of training experience. At GTE Communications, Lance was a Project Manager for Strategic Markets successfully seeing multiple projects launch on time and within budget.

Lance moved directly back into the call center environment when he joined IntelSolve, a consulting company, and was immediately placed with ACN to assist in developing a service strategy to support ACN's new reseller initiative. Drawing upon previous site selection experience and the establishment of a new operation, Lance lead the initiative to successfully develop the Marquette operation. During the management of this project, Lance was offered the position of Director of Call Center Operations at ACN and decided to join ACN in January of 2000. Since then, Lance has been promoted to V.P. of Call Center Operations of N.A. and continues to drive the customer service strategy for ACN. Lance and his team have successfully leveraged the attractive cost of operation, coupled with the excellent quality of service offered out of the Marquette operation, to expand service to include not on U.S. long distance products, but all North American products including energy, paging, internet and long distance for the U.S. and Canada.

**ACN Communication Services, Inc.**

Exhibit III

Financial Statements

ACN Communication Services, Inc. submits, under separate cover and Seal as Confidential, the audited financial statements of American Communications Network, Inc. and Subsidiaries, its parent company.

These documents demonstrate Applicant's financial ability to provide the proposed services. Applicant is a privately held corporation and as such its Financial Statements are not public information, but rather constitute confidential and proprietary information. These Financial Statements are, therefore, being submitted under Seal. Applicant respectfully requests that this confidential information not be provided to any party other than members of Staff who need to review the material for evaluation of Applicant's fitness to provide service.