

STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



CAPITAL CIRCLE OFFICE CENTER  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

Public Service Commission

November 14, 2003

Mr. Dennis Cooke, Risk Manager  
Xspedius Communications  
5555 Winghaven Blvd.  
O'Fallon MO 63366

020535  
030000

**Re: Indemnity Bond No. 45040042**

Dear Mr. Cooke:

Following conversations on November 13 with Patty of your office and Jackie Gilchrist of the Commission, I am returning the above-referenced bond.

Please do not hesitate to call if we can be of further assistance.

Sincerely,

Kay Flynn  
Chief of Records and Hearing Services

Enclosure

cc: Jackie Gilchrist, Division of Competitive Markets and Enforcement

DOCUMENT NUMBER - DATE  
11396 NOV 14 03  
FPSC-COMMISSION CLERK

**XSPEDIUS**

Xspedius Management Co. LLC

P.O. Box 1116 • O'Fallon, MO 63366 • Phone: (636) 625-7010

ORIGINAL

November 18, 2002

Public Service Commission of Florida  
Division of Licensing  
P.O. Box 6687  
Tallahassee, FL 32314

5555  
Patty Wingham Blvd  
O'Fallon MO 63366  
10216-03

NOT  
Game  
Promotions

RECEIVED: FPSC  
02 DEC -9 PM 2:53  
COMMISSION  
CLERK

Re: Xspedius Management Co., LLC Indemnity Bond #45040042

Dear Sirs:

Enclosed, please find Xspedius Management Co., LLC Indemnity Bond #45040042 per our Agreement.

If you should have any questions, please feel free to call me at (636) 625-7009.

Sincerely,

*Dennis Cooke*  
Dennis Cooke  
Risk Manager  
Xspedius

dc

12/16/02  
To: Kay Flynn  
From: Jackie Gelchust

Please put the  
attached bond  
in safe.

Thanks  
J. Gelchust  
020535

2002 DEC -9 PM 11:56  
PRESIDENT OF  
COMPETITIVE SERVICES

Xspedius Management

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
SEC 1  
OTH \_\_\_\_\_

org to Kay  
cy to 020000

DOCUMENT NUMBER-DATE  
13693 DEC 16 02  
FPSC-COMMISSION CLERK

**INDEMNITY BOND  
to the  
PEOPLE OF THE STATE OF FLORIDA**

Bond No. 45040042

We, Xspedius Management Co. Switched Services, LLC, the principal and applicant for Certificate of Convenience and Necessity to offer telecommunications debit card services within the State of Florida, and Greenwich Insurance Company, of California, as an admitted surety insurer, bind ourselves unto the Public Service Commission of Florida, Division of Licensing, P.O. Box 6687, Tallahassee, FL 32314, as Obligee, in the sum of Five Thousand and no/100 Dollars (\$5,000.00).

The conditions of the obligation are such that the principal, having been granted such Certificate of Convenience and Necessity subject to the provision that said principal purchase this Indemnity Bond, and if said principal shall in all respects fully and faithfully comply with all applicable provisions of Florida State Law and reimburse customers of the principal for any prepayment or deposits they have made which the principal may be unable or unwilling to return to said customers as a result of insolvency or other business failure, then this obligation shall be void, discharged and forever exonerated, otherwise to remain in full force and effect.

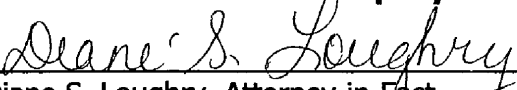
This bond shall take effect as of the date hereon and shall remain in force and effect until the surety is released from liability by the written order of the Public Service Commission, provided that the surety may cancel this bond and be relieved of further liability hereunder by delivering thirty (30) days written notice to the Public Service Commission. Such cancellation shall not affect any liability incurred or accrued hereunder prior to the termination of said thirty (30) day period.

Dated this 29<sup>th</sup> day of October, 2002  
to be effective this 29<sup>th</sup> day of October, 2002.

**Xspedius Management Co.  
Switched Services, LLC**

  
\_\_\_\_\_

**Greenwich Insurance Company**

  
\_\_\_\_\_

Diane S. Loughry, Attorney-in-Fact

**All correspondence and claims in regard  
to this bond should be sent to:**

Greenwich Insurance Company  
One Exchange Place-Suite 501  
Jersey City, NJ 07302

GREENWICH INSURANCE COMPANY

No. G-201-358

POWER OF ATTORNEY

Know all Men by these Presents: that GREENWICH INSURANCE COMPANY, a California corporation (the "Corporation"), with offices at 70 Seaview Avenue, Stamford, Connecticut, 06902, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Joseph G. Delaney, B. Patricia Blair, Diane S. Loughry, Ronal D. Tucker

its true and lawful Attorney(s)-in-Fact at Columbia in the State of Maryland and each of them to have full power to act without the other or others, to make, execute and deliver on its behalf, as surety or co-surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Corporation for any portion of the penal sum thereof in excess of the sum of

Five Million Dollars (\$ 5,000,000 )

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Corporation as fully and to the same extent as if signed by the President of the Corporation under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the Board of Directors of the Corporation at a meeting duly called and held on the 5th day of April, 2000, a copy of which appears below under the heading entitled "Certificate"

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the Board of Directors of the Corporation by Unanimous Written Consent on September 18, 1997 and said resolution has not since been revoked, amended or repeated:

RESOLVED that in granting powers of attorney pursuant to certain resolutions adopted by the Board of Directors of the Corporation at a meeting duly called and held on March 11, 1996, the signature of such directors and officers and the seal of the Corporation may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Corporation in the future with respect to any bond or undertaking to which it is attached.

This Power of Attorney shall expire and all authority hereunder shall terminate without notice at midnight (Standard Time where said attorney(s)-in-fact is authorized to act),

June 30, 2003 10 September 2002

IN WITNESS WHEREOF, the Corporation has caused these presents to be duly signed and its corporate seal to be hereunto affixed and attested this 10 September 2002, at Stamford, Connecticut. (Corporate Seal)

ATTEST: Suraya K. Kieffer, Assistant Vice President, STATE OF CONNECTICUT, COUNTY OF FAIRFIELD, Greenwich

GREENWICH INSURANCE COMPANY, By: Mary A. Roddy, Vice President

On this 10 day of September 2002 before me personally came Mary A. Roddy, Vice President to me known, who being by me duly sworn, did depose and say that (s)he resides in Norwalk, CT that (s)he is a Vice President of GREENWICH INSURANCE COMPANY, the corporation described in and which executed the above instrument; that (s)he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that (s)he signed his(her) name thereto by like order.



Suzanne M. Johnson, Notary Public, My Commission Expires 12/31/04

STATE OF CONNECTICUT, COUNTY OF FAIRFIELD, ss: Karen M. Manente, Assistant Secretary of GREENWICH INSURANCE COMPANY, a California corporation (the "Corporation"), hereby certify:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of the Corporation and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;

2. The following resolutions which were adopted by the Board of Directors of the Corporation by unanimous written consent on April 5, 2000 and said resolutions have not since been revoked, amended or modified:

RESOLVED that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Corporation any and all bonds, undertakings or obligations in surety or co-surety with others: Laura A. Shanahar, Sheila M. Kelly, Mary A. Roddy, Suraya K. Kieffer, Lynn M. Petilli

RESOLVED, FURTHER, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Corporation.

3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 29th day of October 2002

(Corporate Seal) Karen M. Manente, Karen M. Manente