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ORIGINAL

Also Admitted in New York
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August 16, 2004

VIA OVERNIGHT DELIVERY

Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Blvd.
Gunter Bldg.
Tallahassee, Florida 32399-0850
(850) 413-6770

040954-TX
Check received with filing and forwarded
to Fiscal for deposit. Fiscal to forward
deposit information to Records.

Initials of person who forwarded check



DISTRIBUTION CENTER
AUG 25 AM 9:22

Re: Industry Retail Group, Inc.

To Whom It May Concern:

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

I also have enclosed a check in the amount of \$250.00 payable to the Florida Public Service Commission to cover the cost of filing these documents.

Please return a stamped copy of the extra copy of this letter in the enclosed preaddressed prepaid envelope.

If you have any questions regarding this matter, please do not hesitate to call me. Thank you for your attention to this matter.

Sincerely,



Lance J.M. Steinhart, Esq.
Attorney for Industry Retail Group, Inc.

Enclosures

cc: Joseph R. Manzari

DOCUMENT NUMBER-DATE

09311 AUG 25 40

FPSC-COMMISSION CLERK

040954-TX

**** 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

ORIGINAL

Instructions

This form is used as an application for an original certificate and for approval of the assignment or transfer of an existing certificate. In the case of an assignment or transfer, the information provided shall be for the assignee or transferee (See Page 12).

Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.

Use a separate sheet for each answer which will not fit the allotted space.

Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of **\$250.00** to:

Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770

If you have questions about completing the form, contact:

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

APPLICATION

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

Original certificate (new company).

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

Approval of assignment of existing certificate: Example, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.

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

2. Name of company:

Industry Retail Group, Inc.

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

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

2831 W. 6th Street

Wilmington

Delaware

19805

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

None

6. Structure of organization:

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

7. If individual, provide:

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ Fax No.: _____

Internet E-Mail Address: _____

Internet Website Address: _____

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

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

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

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

F04000004580

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

(a) The Florida Secretary of State fictitious name registration number:

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

(a) The Florida Secretary of State registration number:

12. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ Fax No.: _____

Internet E-Mail Address: _____

Internet Website Address: _____

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) The Florida registration number: _____

14. **Provide F.E.I. Number(if applicable):** ⁸⁴⁻¹⁶⁴⁷³⁰² _____

15. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. Provide explanation.

No

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

No

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

(a) The application:

Name: Lance J.M. Steinhart

Title: Regulatory Counsel

Address: 1720 Windward Concourse

City/State/Zip: Alpharetta, Georgia 30005

Telephone No.: (770) 232-9200 Fax No.: (770) 232-9208

Internet E-Mail Address: lsteinhart@telecomcounsel.com

Internet Website Address: _____

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

Name: Joseph R. Manzari
Title: President
Address: 2831 W. 6th Street
City/State/Zip: Wilmington Delaware 19805
Telephone No.: (302) 658-9390 Fax No.: (302) 658-9390

Internet E-Mail Address: jmanzari@industryretail.com
Internet Website Address: www.industryretail.com

(c) Complaints/Inquiries from customers:

Name: Joseph R. Manzari
Title: President
Address: 2831 W. 6th Street
City/State/Zip: Wilmington Delaware 19805
Telephone No.: (302) 658-9390 Fax No.: (302) 658-9390

Internet E-Mail Address: _____
Internet Website Address: www.industryretail.com

17. List the states in which the applicant:

(a) has operated as an alternative local exchange company.

None

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

None.

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

None.

(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.
See Attached biographical information.

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.

See Attached biographical information. In addition, the company will rely upon its underlying facilities-based carriers for technical maintenance.

C. Financial capability.

The application **should contain** the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer **affirming that the financial statements are true and correct** and should include:

1. the balance sheet:
2. income statement: and
3. statement of retained earnings.

NOTE: *This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.*

Further, the following (which includes supporting documentation) should be provided:

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

THIS PAGE MUST BE COMPLETED AND SIGNED

APPLICANT ACKNOWLEDGMENT STATEMENT

- 1. REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
- 2. GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
- 3. SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
- 4. APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

UTILITY OFFICIAL:

Joseph R. Manzari

Print Name

President

Title

(302) 658-9390

Telephone No.



Signature

7/28/04

Date

(302) 658-9390

Fax No.

Address:

2831 W 6th St.

Wilmington, DE 19805

THIS PAGE MUST BE COMPLETED AND SIGNED

AFFIDAVIT

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative local exchange company service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."

UTILITY OFFICIAL:

Joseph R. Manzari

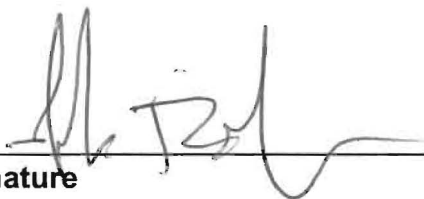
Print Name

President

Title

(302) 658-9390

Telephone No.



Signature

7/28/04

Date

(302) 658-9390

Fax No.

Address:

2831 W. 6th St.

Wilmington DE 19805

LIST OF ATTACHMENTS

FINANCIAL INFORMATION

MANAGEMENT INFORMATION

STATEMENT OF FINANCIAL CAPABILITY

FINANCIAL INFORMATION

2:58 PM
08/23/04
Accrual Basis

Industry Retail Group, Inc.
Balance Sheet
As of August 23, 2004

	<u>Aug 23, 04</u>
ASSETS	
Current Assets	
Checking/Savings	
Checking Account	6,721.36
Total Checking/Savings	6,721.36
Accounts Receivable	
Accounts Receivable	23,297.73
Total Accounts Receivable	23,297.73
Other Current Assets	
Inventory Asset	-1,862.00
Total Other Current Assets	-1,862.00
Total Current Assets	28,157.09
TOTAL ASSETS	<u>28,157.09</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	17,911.66
Total Accounts Payable	17,911.66
Total Current Liabilities	17,911.66
Total Liabilities	17,911.66
Equity	
Opening Bal Equity	8,324.36
Net Income	1,921.07
Total Equity	10,245.43
TOTAL LIABILITIES & EQUITY	<u>28,157.09</u>

MANAGEMENT INFORMATION

Strategic thinker who captures market share by utilizing relationship-selling tactics to create long term gains

- Launched a \$7.5 million network build that delivered high margin business and a long-term partner (2003)
- Increased total corporate revenues by over 150% in a matter of 1 year (2000)
- Propelled sales by over 200% within assigned territory year over year since 1999

Catalyst who is a natural sales professional and has thrived within diverse industries.

- Achieved above 100% of quota throughout professional sales tenure
- Top 1% of sales force between 1999-2004 in an intensely competitive environment
- Negotiated and attained 90% of new business delivered (1997-2004)

"Joe has 'Star' qualities written all over him. The more he learns about the business the better he gets. I would love to see him run this place in another 3-5 years." *Former COO and VP of Network Access Solutions, 2000.*

"All good sales reps strive to outsell those few 'superstar' reps. They've been trying (and failing) to beat Joe since he came here." *President of Network Access Solutions, 2002.*

EDUCATION & ADDITIONAL INTERESTS

University of Maryland College Park, 1993-97. Bachelor of Science - Biology

Graduate of Solution Selling I: Lanier Worldwide. Awarded Top Student honors, January 1997

Partner and co-Founder of Popular Homes Group, LLC, a MD-Based residential property manager and developer

Partner and co-Founder of Industry Retail Group, Inc, a managed services provider focusing on retailers

EXPERIENCE

Industry Retail Group, Inc. (INDUSTRY), *Managed Services Provider*

Partner, 2004-

- Specializing in retail-centric solutions such as WAN, dynamic signage, IP-based security and VPN
- Created company around 'zero-debt' and 'recurring revenue' models

Network Access Solutions (NAS), *data CLEC*

National Account Executive, 1999 - 2004

- Aggressively marketed NAS as a single source solutions provider for WAN connectivity (Frame Relay, ATM, IP)
- 90% of all business developed was negotiated as new business contracts
- Negotiated and delivered \$2.1 million in new annual contracts
- President's Club 2000 and 2001 (company no longer offered this award after 2001)
- During tenure, averaged over 200% of quota
- Consistently finished in top 1% of sales team
- Ran the 2nd largest sales market, company-wide, Washington DC, while managing a team of 5 people

Merck & Company, Inc., *Pharmaceutical Sales*

Territory Manager, 1998 - 1999

- Member of an 8-person sales team aggressively marketing in Montgomery County territory to increase physician prescribing habits
- Led launch of Vioxx RA product in territory. Product has since become the #1 Cox-2 Inhibitor on the market

Lanier Worldwide, *Business Machine Sales*

Senior Account Executive, 1997 - 1998

- Nationwide Senior Sales Representative of the Year, 1998
- Four Time \$50,000 Club Award Winner
- 6-Time Sales Representative of the Month
- Sales Representative of the Quarter, Q3 1998
- 10-Time Rhino Award Winner
- Silver Primus Council Award Winner
- Successfully generated business-to-business Copier/Fax machine sales in Prince Georges County territory
- Top Student honors and graduate of Solution Selling I, industry-acclaimed sales training seminar
- Exceeded sales quota by over 100% every month

STATEMENT OF FINANCIAL CAPABILITY
Industry Retail Group, Inc.

Applicant has sufficient financial capability to provide the requested service in the State of Florida and has sufficient financial capability to maintain the requested service and to meet its lease or ownership obligations. In support of Applicant's stated financial capability, a copy of its Balance Sheet as of August 23, 2004 is attached to its application. Applicant intends to fund the provision of service through internally generated cash flow. Applicant also has the ability to borrow funds, if required, based upon its financial capabilities, to provide service in the State of Florida.