

ORIGINAL

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

1200 19TH STREET, N.W.

SUITE 500

WASHINGTON, D.C. 20036

(202) 955-9600

NEW YORK, NY  
TYSONS CORNER, VA  
CHICAGO, IL  
STAMFORD, CT  
PARSIPPANY, NJ  
BRUSSELS, BELGIUM  
AFFILIATE OFFICES  
JAKARTA, INDONESIA  
MUMBAI, INDIA

RECEIVED-FPSC

05 JUL 29 AM 10:28

FACSIMILE  
(202) 955-9792

www.kelleydrye.com

COMMISSION  
CLERK

DIRECT LINE: (202) 955-9869

EMAIL: kbaraga@kelleydrye.com

July 28, 2005

VIA FEDERAL EXPRESS

Ms. Blanca S. Bayo  
Director, Division of Public Records and Reporting  
Florida Public Service Commission  
2540 Shummard Oak Blvd.  
Tallahassee, FL 32399

050516-TX

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

Initials of person who forwarded check:

Re: Application of FiberLight, LLC for Authority to Provide Alternative Local Exchange Service Within the State of Florida

Dear Ms. Bayo:

Enclosed please find an original and fifteen (15) copies of the above-captioned Application on behalf of FiberLight, LLC for filing with the Commission. Attached is the requisite \$250 filing fee. FiberLight, LLC is requesting that certain information filed in support of this application be protected as confidential. Therefore, FiberLight, LLC has provided, in a separate envelope, only one copy of these documents clearly marked as confidential.

Also enclosed is a duplicate copy of this filing, and a self-addressed, postage-paid envelope. Please date-stamp the duplicate upon receipt and return it in the envelope provided. Should you have any questions concerning this matter, please contact the undersigned at the above number.

Respectfully submitted,

Karly E. Baraga

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 07288-05. The document is in locked storage pending advice on handling. To access the material, your name must be on the CASR. If undocketed, your division director must provide written permission before you can access it.

- CMP
- COM
- CTR
- ECR
- GCL
- OPC
- RCA
- SCR
- SGA
- SEC
- OTH

ICent records  
DC01/EMMOE/194643.2

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

07288 JUL 29 05

FPSC-COMMISSION CLERK

05 JUL 29 AM 10:03

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

**DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT**  
**CERTIFICATION**

**APPLICATION FORM**  
**for**  
**AUTHORITY TO PROVIDE**  
**ALTERNATIVE LOCAL EXCHANGE SERVICE**  
**WITHIN THE STATE OF FLORIDA**

---

**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 the Commission Clerk and Administrative Services***  
**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 Competitive Markets and Enforcement**  
**Certification**  
**2540 Shumard Oak Blvd.**  
**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 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:

FiberLight, LLC

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

FiberLight, LLC

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

6230 Shiloh Road  
Suite 210  
Alpharetta, Georgia 30005

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

Not applicable

6. Structure of organization:

- Individual
- Foreign Corporation
- General Partnership
- Other (Foreign LLC)

- Corporation
- Foreign Partnership
- Limited Partnership

**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:

Document Number M04000000135. See *Exhibit A*

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):** 753064419

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.

James F. Lynch serves as the Chairman of the Board of FiberLight, LLC and Xspedius Communications, LLC. FiberLight is a new company, created by the management team of Xspedius Fiber Group, and recently acquired substantially all of the assets of Xspedius Fiber Group.

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

(a) The application:

Name: Karly E. Baraga

Title: Counsel

Address: Kelley Drye & Warren, LLP  
1200 19<sup>th</sup> Street, NW Suite 500

City/State/Zip: Washington, DC 20036

Telephone No.: 202-955-9869 Fax No.: 202-955-9792

Internet E-Mail Address: kbaraga@kelleydrye.com

Internet Website Address: -----

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

Name: Chad Pifer  
Title: Vice President Legal & Regulatory  
Address: 6230 Shiloh Road, Suite 210  
City/State/Zip: Alpharetta, Georgia 30005  
Telephone No.: 678-347-9263  
Internet E-mail Address: [chad.pifer@fiberlight.com](mailto:chad.pifer@fiberlight.com)

(c) Complaints/Inquiries from customers:

Name: Ron Kormos  
Title: Sr. Vice President Operations  
Address: 6230 Shiloh Road, Suite 210  
City/State/Zip: Alpharetta, Georgia 30005  
Telephone No.: 678-366-0094  
Internet Email Address: [ron.kormos@fiberlight.com](mailto:ron.kormos@fiberlight.com)

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

- (a) has operated as an alternative local exchange company.  
**None at this time**
- (b) has applications pending to be certificated as an alternative local exchange company.  
**Some may not yet be pending, but Applicant is currently preparing applications for local exchange authority in Texas, Georgia, Maryland and the District of Columbia.**
- (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 Exhibit B**

- 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 Exhibit B**



### **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.*

#### **See Exhibit C.**

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.

#### **See Exhibit C.**

## 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. APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

### UTILITY OFFICIAL:

Raymond Chad Pifer

Print Name

Vice President Legal & Regulatory

Title

678-347-9263

Telephone No.

Raymond Chad Pifer

Signature

7/27/2005

Date

678-366-0411

Fax No.

Address: 6230 Shiloh Road  
Suite 210  
Alpharetta, Georgia 30005

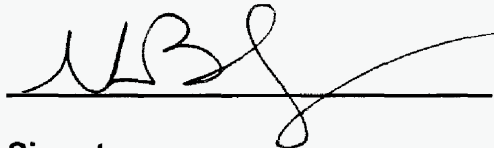
**AFFIDAVIT**

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:

Kevin B. Coyne



Print Name

Signature

Chief Financial Officer

7/27/05

Title

Date


678-366-0407

678-366-0411

Telephone No.

Fax No.

Address: 6230 Shiloh Road  
Suite 210  
Alpharetta, Georgia 30005

 7/27/05  
Notary Public, Pickens County, Georgia  
My Commission Expires April 21, 2008

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.

FiberLight, LLC currently does not own or lease a POP in Florida.

1) \_\_\_\_\_ 2)

\_\_\_\_\_

3) \_\_\_\_\_ 4)

\_\_\_\_\_

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

FiberLight, LLC currently does not own or lease a switch in Florida.

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.

FiberLight, LLC has recently acquired substantially all of the assets of Xspedius Fiber Group. These assets include extensive fiber and conduit in and around the metropolitan areas of South Florida and Tampa, Florida.

POP-to-POP

OWNERSHIP

1) \_\_\_\_\_

2) \_\_\_\_\_

3) \_\_\_\_\_

4) \_\_\_\_\_

# **Exhibit A**

## **Proof of Authority to Operate in Florida**

# Delaware

PAGE 1

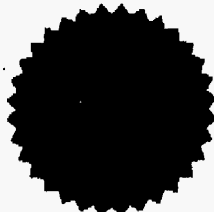
*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "FIBERLIGHT, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRD DAY OF MAY, A.D. 2005.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

3942271 8300

050358759



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State  
AUTHENTICATION: 3853917

DATE: 05-03-05



## FLORIDA DEPARTMENT OF STATE

Glenda E. Hood  
Secretary of State

May 5, 2005

FIBERLIGHT, LLC  
6230 SHILON ROAD  
SUITE 210  
ALPHARETTA, GA 30005

Qualification documents for FIBERLIGHT, LLC were filed on May 4, 2005, and assigned document number M05000002365. Please refer to this number whenever corresponding with this office.

Your limited liability company is now qualified and authorized to transact business in Florida as of the file date. In accordance with section 608.406(2), F.S., the name of this limited liability company is filed with the Department of State for public notice only and is granted without regard to any other name recorded with the Division of Corporations.

This document was electronically received and filed under FAX audit number H05000114149.

A limited liability company annual report/uniform business 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 limited liability company address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please contact this office at the address given below.

Agnes Lunt

Document Specialist

Registration/Foreign Qualification

Division of Corporations

Letter Number: 605A00032173

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 608.503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. Fiber Light, LLC (Name of Foreign Limited Liability Company)

2. Delaware (Jurisdiction under the law of which foreign limited liability company is organized) 3. 34-2042346 (FEI number, if applicable)

4. 3-17-05 (Date of Organization) 5. Perpetual (Duration: Year limited liability company will cease to exist or "perpetual")

6. upon qualification (Date first transacted business in Florida, if prior to registration.) (See sections 608.501 & 608.502 F.S. to determine penalty liability)

7. 6230 Shiloh Rd Suite 210 Alpharetta, GA 30005 (Street Address of Principal Office)

8. If limited liability company is a manager-managed company, check here [X]

9. The name and usual business addresses of the managing members or managers are as follows:

Michael Miller 6230 Shiloh Rd Suite 210 Alpharetta, GA 30005
Kevin Coyne 6230 Shiloh Rd Suite 210 Alpharetta, GA 30005

10. Attached is an original certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (A photocopy is not acceptable. If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted.)

11. Nature of business or purposes to be conducted or promoted in Florida: Telecommunications

[Signature]
Signature of a member or an authorized representative of a member.
(In accordance with section 608.406(3), F.S., the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true.)
Kevin Coyne
Typed or printed name of signer



### CERTIFICATE OF DESIGNATION OF REGISTERED AGENT/REGISTERED OFFICE

PURSUANT TO THE PROVISIONS OF SECTION 608.415 or 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT TO DESIGNATE A REGISTERED OFFICE AND REGISTERED AGENT IN THE STATE OF FLORIDA.

1. The name of the Limited Liability Company is:

FiberLight, LLC

2. The name and the Florida street address of the registered agent and office are:

CT Corporation System  
(Name)

1200 South Pine Island Road  
Florida Street Address (P.O. Box NOT ACCEPTABLE)

Plantation FL 33324  
City/State/Zip

*Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, 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 relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agents as provided for in Chapter 608, Florida Statutes.*

CT Corporation System  
By: Dale W. Morris  
(Signature)  
DALE W. MORRIS  
ASSISTANT VICE PRESIDENT

- \$ 100.00 Filing Fee for Application
- \$ 25.00 Designation of Registered Agent
- \$ 30.00 Certified Copy (optional)
- \$ 5.00 Certificate of Status (optional)

**Exhibit B**  
**Management Biographies**



## **Managerial Bios**

**July 7, 2005**

**MICHAEL MILLER, President & Chief Executive Officer**



Mr. Miller became President of FiberLight, LLC in December of 2000, where he determines the overall direction and vision of the company. In May of 2005 as Chief Executive Officer, he led the successful restructuring the company's debt, completed a management buy out of the business, and changed the product and direction of the company to meet future fiber demands.

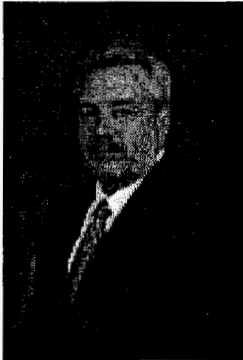
Mr. Miller is a 27-year veteran of the telecommunications industry, and was one of the founding members of FiberLight when it was created (as American Communications Systems Incorporated or ACSI) in 1998 as the development arm for a competitive local exchange carrier. Prior to his current position, Mr. Miller served as Senior Vice President for ACSI Network Technologies (now FiberLight), responsible for sales, marketing, and operating revenue functions.

Before transitioning to FiberLight, Mr. Miller held the position of Regional Vice President and General Manager at e.spire Communications (now Xspedius Communications), responsible for retail, wholesale and agent sales, customer service and switch and node site management, with full profit and loss responsibility for the Eastern U.S. Prior to joining e.spire, Mike served as Senior Vice President of Sales and Marketing for TresCom International (now Primus Telecommunications). In this role, his responsibilities further included management of the order implementation process and service provisioning.

Between 1991 and 1994, Mike was Vice President of Major and National Accounts for LDDS Communications (now MCI). From 1989 to 1991, he served as Senior Vice President of Sales and Marketing for National Telephone Service; his responsibilities further included operations, operator service center, and switch and node site management.

Prior to joining NTS, Mike spent from 1979-1989 with ITT which later was purchased by Metromedia. During his tenure, Mike opened 23 new markets for the sale of long distance services and eventually left the company as VP and Area Manager of the West Region. Mr. Miller earned a B.A. degree at Glenville State in West Virginia.

**RONALD KORMOS, Senior Vice President of Operations**



Mr. Kormos became Senior Vice President of Operations in December 2003 where he handles all operations for the company. As Senior Vice President of Operations he is responsible for:

- Providing day-to-day direction and leadership to the organization as well as significant involvement with the CEO in the development of longer-range strategies and plans. The Senior Vice President of Operations and CFO function together as part of the senior leadership team of the company;
- Overseeing operational activities, align staff and resources and ensure open communication and a positive work environment;
- Developing and align systems, policies and operational business strategies and controls that mirror the adopted mission and strategic direction of the organization;
- Measuring the effectiveness of all internal and external processes and provides timely, accurate and complete reports on the operating condition of the organization;
- Collaborating with, mentoring and leading managers in the operational and systems departments to continually assess customer needs and to accomplish the business objectives of the organization on time and on budget; and
- Ensuring that sound and responsive support to all functions is provided and participate in organizational planning and management teams.

Ron started with FiberLight (formally ACSI, and then Xspedius Fiber Group) in June of 2000 as Vice President of Construction and late became Vice President of Operations. He has over 30 years of experience in the utility construction industry, specializing in fiber optics placing, splicing and testing, and over 20 years in contract management and budgeting.

Ron worked for Southwestern Bell Telephone from 1974 to 1994 where he spent years in management and supervisory positions in fiber optics, contracts, construction and cable splicing. He gained valuable experience in the management and budgeting processes where he had responsibility for a \$25 million construction budget.

From 1994 to 1999 he worked for MasTec Inc. formally known as E.L. Dalton & Company where he started as Director of Fiber Optics and later promoted to Vice President of Fiber Optics and Marketing. In 1999 he spent one year with GlobalTech 2000 as Vice President of Construction before joining ACSI.

Mr. Kormos earned a Bachelor of Science degree in Public Administration at the University of Texas, at Dallas.

**KEVIN COYNE, Chief Financial Officer**



Mr. Coyne returned to FiberLight in December of 2003 as Chief Financial Officer, where he handles all financial responsibilities for the company. As Chief Financial Officer he is responsible for:

- Oversight and direct supervision of strategic financial planning, p&l management, investor relations, forecasting and budgeting, valuation analysis/due diligence, accounting, tax, financial operations, and corporate banking & lending;
- Assist the CEO in developing the five year business plan and ensuring that we maintain strict adherence to the overall vision, short and long term objectives set forth;
- Raising and securing capital within the private and/or public markets to support the board approved business plan. Negotiating vendor, partner and joint venture agreements to support all financial needs;
- Provide strategic and economic analysis on merger and acquisition targets. Determine that each opportunity of investment is accretive to the combined entity;
- Maintaining fiscal responsibility within the organization by developing, implementing and monitoring the company's financial policies and systems; and
- Coordinate and maintain all treasury functions. Coordinate a detailed risk management plan with participation of the entire management team.

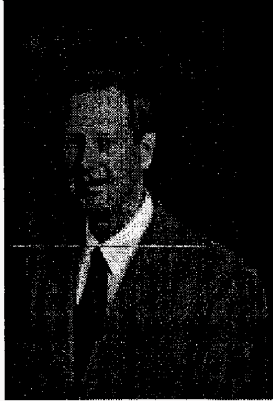
Kevin joined ACSI Network Technologies (now FiberLight) in 1998 as Controller charged with implementing the finance and accounting department. He was promoted to Sr. Vice President of Finance in 2002 and was responsible for all ACSI NT financial planning, reporting, treasury, banking, tax and procurement functions.

Previous to joining ACSI NT, Kevin was with Deloitte & Touché, LLP and has 10 years in public accounting with a progression of accounting and managerial experiences working on clients such as Nextel and Cendant.

At the end of 2002 he joined Internap Network Services Corp as Director of Financial Planning and Analysis where he restructured \$25 million of capital leases and participated in a \$10 million common pipe transaction.

Mr. Coyne has earned a Master of Science degree in Taxation at University of Baltimore and a Bachelor of Science degree in Accounting at Towson State University. He is a Certified Public Accountant and a member of the American Institute of Certified Public Accountants.

**WADE ROBERTSON, Senior Vice President—Sales & Marketing**



Mr. Robertson, Senior Vice President of Sales and Marketing is responsible for:

- Commercial and wholesale sales activities, technical sales support, customer service, and business development;
- The overall performance of FiberLight sales team to achieve the company's revenue objectives and the continued expansion of sales along with development of new business and product opportunities;
- Recruiting, managing and coordinating efforts of independent rep firms and sales agents in support of sales opportunities;
- Product and pricing placement in the market;
- Negotiation of contract terms and conditions along with

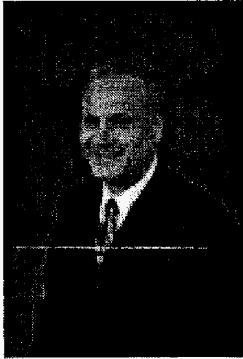
implementation and acceptance of customer deliverables; and

Wade joined e.spire Communications (now Xspedius Communications) in 1997 as the General Manager of the Jacksonville, FL market. His responsibilities included sales, operations, network development and customer care. He was promoted to Director of Southeast Commercial Sales in 1998. Later that year, he transferred to ACSI Network Technologies (now FiberLight) as the Director of Commercial Sales, was later promoted to Vice President of Sales for the Eastern states, and currently holds responsibility as Senior Vice President for all FiberLight sales and Marketing.

Wade started his telecommunications career in 1981 with AT&T and went through divestiture with that company. With more than 25 years of industry experience he has worked in various sales and related positions with MCI, LDDS/WorldCom, TresCom International, e.spire Communications, and most recently, FiberLight. His experiences have included sales and sales management in major and national accounts, as well as carrier and wholesale accounts.

Mr. Robertson earned a Bachelor of Science degree in Economics at Auburn University.

**JIM KNABEL, Senior Vice President— Engineering**



Mr. Knabel, Senior Vice President of Engineering is responsible for:

- Managing network support along with records, mapping and information technologies;
- Evaluating, selecting and implementing technological innovations;
- Interfacing effectively with the other functional departments as well as possible outside contractors and consultants;
- Implementing and managing the lit strategy as laid out by the management team; and
- Managing vendor relations and determining the cost/benefit trade-offs of processing vendor's order changes or negotiating creative

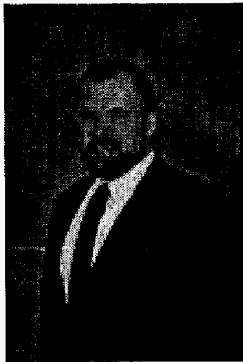
alternative compromises.

Jim joined e.spire Communications (now Xspedius Communications) in June of 1994 as the first Operations Manager for Kentucky. During his tenure at e.spire, and then ACSI Network Technologies (now FiberLight), Jim has held numerous management positions in engineering and operations. Jim has more than 24 years of technical telecommunications experience. He engineered, planned and built 50 node sites and 26 Class 5 switch sites for a nationwide CLEC. He also engineered, installed, maintained, and operated various types of switches and transport equipment during his employment with such industry leaders as WorldCom, MCI Communications, and Nortel Networks.

Mr. Knabel has earned an Engineering degree in Electronics and Telecommunications from RETS Electronics.



**CHAD PIFER, Vice President of Legal & Regulatory**



Chad Pifer is the Vice President Legal and Regulatory and is responsible for:

- Managing all legal and regulatory matters that affect FiberLight before Federal, State and Local agencies;
- Negotiating contracts and agreements with various parties;
- Franchising and right-of-way identification and acquisition, Bell collocations, real estate acquisition, and strategic relationships as it pertains to infrastructure;
- Managing the Capital Recovery part of the business to return the maximum amount of dollars back into the company from either damages or forced relocations of the network; and

- Manages outside legal counsel.

Mr. Pifer joined FiberLight, LLC in April 2005 as Vice President of Legal & Regulatory. Mr. Pifer brings more than 10 years of proven legal, business and technology experience to his current position.

Prior to joining FiberLight, Mr. Pifer served as a corporate attorney for KMC Telecom Holdings, Inc. where he provided leadership in telecommunications and regulatory matters. Before his tenure at KMC, Mr. Pifer served as Regulatory Counsel & Corporate Attorney for Xspedius Communications, LLC where he handled the daily legal and regulatory matters and assisted Xspedius in its acquisition of the e.spire assets out of bankruptcy.

Before his employment with Xspedius, Mr. Pifer served as Southeastern Regulatory Attorney for FairPoint Communications, where he assisted in the entire certification process involved with launching their CLEC division in 2000. From 1996-2000 Mr. Pifer worked for Alltel Communications, Inc. in various capacities.

Mr. Pifer earned a Bachelor of Arts degree in history from Hendrix College, Conway, Arkansas; and a Juris Doctorate and Masters of Business Administration from the University of Arkansas at Little Rock.

# Exhibit C

## Financial Capability

1. FiberLight, LLC possesses the financial capability to: (a) provide the services for which authority is requested; (b) maintain the services requested; and (c) meet its financial obligations. Attached hereto are FiberLight's most recent balance sheets and income statements. Please note that FiberLight is a new company and therefore does not possess audited financial statements for the most recent three years. Therefore, FiberLight has submitted financial that are unaudited and has attached hereto the required verification signed by the chief executive officer and chief financial officer. To further demonstrate to the Commission that FiberLight possesses the appropriate financial capability to provide the services it requests authority for, FiberLight has submitted financial projections of its first three years of operations in Florida.

2. FiberLight, LLC has the requisite financial ability to maintain the requested services. As noted above, the attached financial statements demonstrate that FiberLight has sufficient resources to develop and maintain the proposed services in Florida.

3. The attached financial statements exhibit FiberLight's ability to provide alternative local exchange services. FiberLight will invest in its own facilities throughout the state and has already acquired fiber and conduit in Florida. FiberLight is affiliated with Thermo Telecom Partners of Thermo Capital Partners LLC ("TCP"), headquartered in Denver and New Orleans. TCP provides capital to proved management groups that require strategic capital or organic growth, acquisitions or changes in ownership. Specifically, TCP assisted FiberLight with its acquisition of the assets of Xspedius Fiber Group. With TCP's assistance, FiberLight has been able to recapitalize the business, while eliminating the majority of its debt. This has enabled FiberLight to continue to bring unique solutions to its customers and address those customers' growing fiber and capacity needs. TCP is associated with Thermo Companies, a highly successful group of privately held companies focused on opportunities in telecommunications, power generation, natural resources and real estate industries.

Please note that as a privately held company, FiberLight does not issue annual reports or submit any financial filings with the United State Securities and Exchange Commission, and is not under any obligation to prepare or release public financial statements and ownership information. Because public disclosure of FiberLight's financial information would result in significant competitive and business harm to FiberLight, confidential treatment of FiberLight's financial data is appropriate. Accordingly, FiberLight submits its financial statements under seal and respectfully requests that the Commission accord them confidential treatment and not release them to the public.

## VERIFICATION

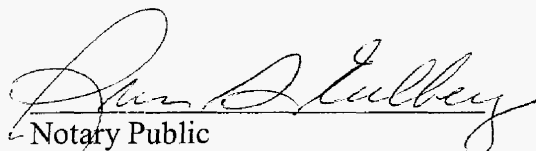
I, Michael P. Miller, am President & Chief Executive Officer of FiberLight, LLC, and am authorized to represent it and its subsidiaries, and to make this verification on their behalf. The unaudited financial statements submitted on behalf of FiberLight, LLC are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.



---

Subscribed and sworn to before me this 27<sup>th</sup> day of July, 2005.



---

Notary Public

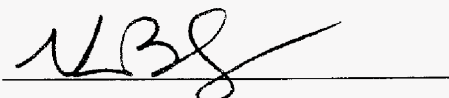
My Commission expires: \_\_\_\_\_

Notary Public, Pickens County, Georgia  
My Commission Expires April 21, 2008

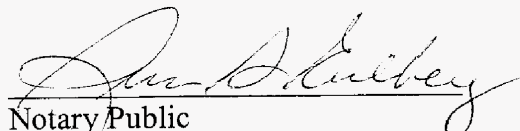
**VERIFICATION**

I, **Kevin B. Coyne**, am **Chief Financial Officer** of FiberLight, LLC, and am authorized to represent it, and to make this verification on their behalf. The statements in the foregoing document relating to this company, except as otherwise specifically attributed, are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.



Subscribed and sworn to before me this 14<sup>th</sup> day of July 2005.



Notary Public

**Notary Public, Pickens County, Georgia**  
My Commission expires: April 21, 2008