

ORIGINAL

**BILZIN SUMBERG BAENA PRICE & AXELROD LLP**

A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS

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*Allison K. Hift, Esquire*

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January 24, 2006

Certified Mail – Return Receipt Requested

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Florida Public Service Commission  
Division of the Commission Clerk  
and Administrative Services  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RECEIVED-FPSC  
06 JAN 26 PM 3:47  
COMMISSION  
CLERK

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

Dear Sir or Madam:

Enclosed please find the original and six (6) copies of the above-referenced form along with  
check #498 in the sum of \$250.00 for Broadstar, LLC. Please contact me if you have any questions.

Very truly yours,

Bilzin Sumberg Baena Price & Axelrod LLP

By: Allison K. Hift, P.A., a Partner

By: *Allison K. Hift*  
Allison K. Hift, President

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

Initials of person who forwarded check:

*AHM*

AKH/rtr  
Enclosures

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**\*\* 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.

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**

1. This is an application for an Original certificate (new company).
2. Name of company: Broadstar, LLC
3. Name under which the applicant will do business: Broadstar, LLC
4. Official mailing address: 3800 Park Central Blvd. North,  
Pompano Beach, FL 33064
5. Florida address: 3800 Park Central Blvd. North,  
Pompano Beach, FL 33064
6. Structure of organization: Broadstar, LLC is a Limited Liability Company.
7. If individual, provide: N/A
8. If incorporated in Florida, provide proof of authority to operate in Florida:  
  
The Florida Secretary of State corporate registration number is: L05000048854.
9. If a foreign corporation, provide proof of authority to operate in Florida: N/A.
10. If you will be using a fictitious name-d/b/a, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida: N/A
11. If a limited liability partnership, provide proof of registration to operate in Florida: N/A.
12. If a partnership, provide name, title and address of all partners and a copy of the partnership agreement. N/A.
13. If a foreign limited partnership, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. N/A.
14. F.E.I. Number: 20-2848917.
15. The following 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: None.
  - (b) an officer, director, partner or stockholder in any other Florida certificated telephone company:

BroadStar Communications, LLC: Tyler Bell, CEO  
Blonder Tongue Telephone, LLC : Tyler Bell, CEO  
Travelers Cable TV, Inc.: Tyler Bell, CEO

16. (a) Allison K. Hift, Partner, Bilzin Sumberg Baena Price & Axelrod, LLP, 200 S. Biscayne Blvd., Suite 2500, Miami, Florida 33131-5340 (Telephone No.: 305-350-7217; Fax No.: 305-351-2197; E-Mail Address: [AHIFT@bilzin.com](mailto:AHIFT@bilzin.com)) will serve as liaison to the Commission with regard to the application.

(b) Howard Bernstein, Controller, Broadstar, LLC, 3800 Park Central Blvd. North, Pompano Beach, FL 33064 (Telephone No.: 954-369-3024; Fax No.: 305-369-3400; Internet E-Mail Address: [HowardB@Broadstar.com](mailto:HowardB@Broadstar.com); Internet Website Address: [Broadstar.com](http://Broadstar.com)), will serve as the Official point of contact for the ongoing operations of the company and as the liaison to the Commission with regard to Complaints/Inquiries from customers.

17. In the following states, 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. None.
- (e) has had regulatory penalties imposed for violations of telecommunications statutes. None.
- (f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity. None.

18. Submit the following:

A / B. Managerial and Technical capability: The following are resumes of employees/officers of the company that indicate sufficient managerial and technical experiences of each:

**Jeff Berkowitz**

Jeff Berkowitz is the President and Founder of Berkowitz Development Group. A former practicing attorney, he is widely recognized as one of the pre-eminent retail developers in Miami-Dade County. His expertise includes areas relating to all aspect of development,

including leasing, management, construction management, customer and tenant relations, budgeting, projections and governmental relations. With his formal legal training and active experience practicing law, he also provides support in negotiation and a wealth of experience in dispute avoidance and, if necessary, resolution.

### **Tyler Bell**

Tyler Bell is currently the CEO for BroadStar and Blonder Tongue Telephone. Tyler began his career by founding Global Satellite in 1983. As a result of his capable leadership, the company grew from single storefront selling home satellite systems, to the largest residential satellite system dealer in Florida within one year. An overwhelming number of requests were presented from high-rise and high density, multiple unit facilities seeking alternatives to incumbent providers. Tyler shifted the direction of the company to meet the needs of this new customer base and he worked extensively with property owners and developers in determining specific needs for enhanced property services and consumer conveniences. Tyler pioneered and met these needs with bundled cable, phone and Internet services, each service being offered with enhanced features to rival incumbent offerings. Tyler's ensuing business model was to "bulk" these services to allow properties to capitalize on low cost, volume purchasing while maintaining a very substantial reoccurring, long term revenue source. Tyler's vision and efforts have resulted in BroadStar's recognition at national trade shows and associations which, in turn, has earned him a prestigious seat on the board of the International Multiunit Communications Council.

### **Christian Alvarez**

Christian A. Alvarez is currently President of BroadStar. Mr. Alvarez founded TechEra in 2004, serving as President & CEO. In early 2005, Mr. Alvarez spearheaded a merger between TechEra and BroadStar South, a 22 year old private cable operator. He has expanded and strengthened existing technical solutions and services. He is responsible for all operations and technology infrastructures of BroadStar. His knowledge and expertise in positioning the company's vision in technology is truly an intricate part of his position. Mr. Alvarez is very adept at providing high performance products and services as well as innovative solutions. Mr. Alvarez strongly believes in maintaining these fundamentals while keeping his finger on the pulse of leading-edge technology.

Over the last 14 years, Mr. Alvarez has developed a unique blend of expertise that includes network technology, business, operational management, client experience and strategic planning. His background demonstrates competencies in: analyzing, designing and implementing business and technology strategy; designing, planning and managing global network and system infrastructure implementations; management of technical organizations; and merger & acquisition experience. Mr. Alvarez's expertise is in the conception and implementation of large-scale technology operations. He provides high performance products and services and unconventional solutions to particular customer requirements.

Prior to founding TechEra, Mr. Alvarez was Vice President of Technology & Engineering for the NAP of the Americas, and an integral part in the development and creation of the NAP of the Americas facility in Downtown Miami, Madrid and San Palo Brazil. He expanded and strengthened the existing technical solutions and services, and was responsible for all technology infrastructures at those different locations.

Before the NAP of the Americas, Mr. Alvarez was a managing director at esävio Corporation, a premier nationwide managed services and network systems integrator consulting firm. In this capacity, Mr. Alvarez was responsible for directing business activities including management and business policy formulation, technology planning and deployment.

Before esävio Corporation, Mr. Alvarez was one of the co-founders and managing principal of NetSol International, Inc., where he helped to build an international network integration business with five offices throughout the U.S. and Central and South America.

Mr. Alvarez holds a degree in computer science from Florida International University and an Advanced Technologies degree from Robert Morgan School of Technology.

### **Howard Bernstein**

Howard S. Bernstein is Broadstar, LLC's Controller and, in that capacity, is involved in all of its financial aspects. Howard is also the Controller and Senior Financial Analyst for BroadStar Holdings, LLLP.

Howard was instrumental in the acquisition of Broadstar South's assets. As the Controller of TechEra Group, he joined TechEra earlier this year, and has been integral in the development of the policies and procedures that TechEra uses today. In addition, Howard has been working very closely with Christian Alvarez since April of 2003 to develop Revenue Projections and Cost Budgets for Fiber to the Premises. Howard is responsible for all of the Accounting, Purchasing and Finance related functions within TechEra.

Originally from New York, Howard earned his B.S. in Accounting from Mercy College in 1991. After graduating from college, he went to work for Combe, Incorporated, a leading manufacturer of over-the-counter health and beauty aids as a Cost Accountant. Howard has extensive knowledge and experience in Job and Cost Accounting, including a position as a Cost Accounting Manager for IPC Information Systems, Inc., a leader in the installation of Telephone and Turret Systems for the financial community on Wall Street, where he was responsible for auditing and reconciling all of the materials used at the installation site.

Howard also started and managed his own tax practice while living in New York, and started and managed his own consulting firm specializing in Enterprise Resource Planning ("ERP") systems and database development after he moved to Florida. During

his career he has implemented over 50 ERP systems in companies nationwide, many of which are still running their businesses on databases that he developed.

Howard moved to Florida in 1997, and lives in Margate with his lovely wife Sirlei, and his two step-daughters Priscila and Luanna.

### **Ron Elliot**

Ron is a fifth generation Floridian. He graduated from Arizona State University with a degree in Clinical Laboratory Medicine. He served as a combat pilot in the USAF flying B-52 bombers and the OV-1 in Viet Nam. He then entered astronaut training through the Manned Orbiting Laboratory program. Ron left the Air Force to fly for Eastern Air Lines and flew until retirement. In 2001 he formed Cyberstarz Network Inc. Ron began providing commercial cable and Internet services to 820 homes in Fort Pierce, Florida. He utilized a unique delivery method by which services were delivered to multiple properties over a fiber trunk from one central signal source. This was the second such system developed in the United States. Ron functioned as the marketing agent, project and construction supervisor and service manager. In 2004 he recognized the synergy and cost savings that would result from the joining of Cyberstarz with the successful long term operation of BroadStar. As one of BroadStar's owners and managing members, Ron functions as Executive Vice President of Business Development and Public Relations.

### **Andrew Berkowitz**

Andrew Berkowitz has played a vital role in developing the policies and procedures in the company today. In addition, Andrew has been integral in developing relationships with top developers and financiers. His diligence has proven to be an asset to BroadStar. Originally from Miami, Andrew worked for Netcreations, Inc., a \$500 million dollar Internet marketing and advertising firm based in New York City. He also built an impressive clientele by creating exceptional business relationships and excellent account management generating the highest response rates in the Internet advertising industry. Andrew has extensive knowledge and experience in both sales and marketing in the technology sector.

#### **C. Financial capability.**

1. Broadstar, LLC has sufficient financial capability to provide the requested service in the geographic area proposed to be served. See attached Exhibit A (Confidential Treatment Claimed).
2. Broadstar, LLC has sufficient financial capability to maintain the requested service. See attached Exhibit A (Confidential Treatment Claimed).
3. Broadstar, LLC has sufficient financial capability to meet its ownership obligations. It has no lease obligations. See attached Exhibit A (Confidential Treatment Claimed).

The applicant does not have audited financial statements for the most recent 3 years. The applicant's un-audited Consolidated Income Statement and Consolidated Balance Sheet, as of August 31, 2005, are attached hereto as Exhibit A (Confidential Treatment Claimed).

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INTRASTATE NETWORK. N/A



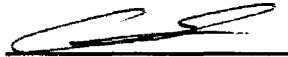
**THIS PAGE MUST BE COMPLETED AND SIGNED**

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

**UTILITY OFFICIAL:**

**Christian Alvarez**  
Print Name

  
Signature

**President**  
Title

12/8/05  
Date

**(954) 369-3300**  
Telephone No.

**(954) 369-3400**  
Fax No.

**Address:**

Broadstar, LLC  
3800 Park Central Blvd. North  
Pompano Beach, Florida 33064

**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:

Christian Alvarez  
Print Name

  
Signature

President  
Title

12/8/05  
Date

(954) 369-3300  
Telephone No.

(954) 369-3400  
Fax No.

**Address:**

Broadstar, LLC  
3800 Park Central Blvd. North  
Pompano Beach, Florida 33064

**CONFIDENTIAL TREATMENT CLAIMED**  
**EXHIBIT A**

To Follow Under Separate Cover