

ORIGINAL

NOWALSKY, BRONSTON & GOTHARD

A Professional Limited Liability Company

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060695-TX

RECEIVED-PPSC

Monica Borne Haab

Philip R. Adams, Jr. |

Of Counsel
Bruce C. Batzer
COMMISSION CLERK

October 19, 2006

Via Overnight Delivery

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

2006 OCT 20 AM 9:13
DISTRIBUTION CENTER

RE: TELECOM MANAGEMENT, INC. D/B/A PIONEER TELEPHONE

Dear Sirs:

Enclosed please find an original and two (2) copies of the Application Form for authority to provide competitive local exchange telecommunications company service within the State of Florida, submitted on behalf of Telecom Management, Inc. d/b/a Pioneer Telephone. The requisite \$400.00 filing fee is enclosed herewith.

Please acknowledge receipt of this filing by returning a date stamped copy of this letter in the self-addressed envelope provided.

Thank you for your assistance. Please call with any questions.

Sincerely,


Monica Borne Haab

Enclosure

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

Initials of person who forwarded check



RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
09652 OCT 20 06
FPSC-COMMISSION CLERK

**FLORIDA PUBLIC SERVICE COMMISSION
DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT**

**APPLICATION FORM
for
AUTHORITY TO PROVIDE COMPETITIVE LOCAL EXCHANGE
TELECOMMUNICATIONS COMPANY SERVICE
WITHIN THE STATE OF FLORIDA**

Instructions

- A. This form is used as an application for an original certificate and for approval of sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 8).
- B. Print or type all responses to each item requested in the application. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of **\$400.00** to:

**Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770**

- E. A filing fee of **\$400.00** is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.815, F.A.C.).
- F. If you have questions about completing the form, contact:

**Florida Public Service Commission
Division of Competitive Markets and Enforcement
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600**

FORM PSC/CMP-8 (01/06)
Required by Commission Rule Nos. 25-24.810,
and 25-24.815

Note: To complete this interactive form
using your computer, use the tab key
to navigate between data entry fields. MEMBER-DATE

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 rather than apply for a new certificate.

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

2. Name of company: Telecom Management, Inc.

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

Pioneer Telephone

4. Official mailing address:

Street/Post Office Box: 583 Warren Ave.

City: Portland

State: Maine

Zip: 04103

5. Florida address:

Street/Post Office Box:

City:

State:

Zip:

6. Structure of organization:

- Individual
- Foreign Corporation
- General Partnership
- Other,

- Corporation
- Foreign Partnership
- Limited Partnership

7. **If individual**, provide:

Name:
Title:
Street/Post Office Box:
City:
State:
Zip:
Telephone No.:
Fax No.:
E-Mail Address:
Website Address:

8. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:

9. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is: F03000000897

10. **If using fictitious name (d/b/a)**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida. The Florida Secretary of State fictitious name registration number is: F03000000897

11. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is:

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

Name:
Title:
Street/Post Office Box:
City:
State:
Zip:
Telephone No.:
Fax No.:
E-Mail Address:
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 is:

14. Provide **F.E.I. Number**(if applicable): 01-0497005

15. Who will serve as liaison to the Commission in regard to the following?

(a) The application:

Name: Monica Borne Haab
Title: Attorney for Applicant
Street name & number: 3500 N. Causeway Blvd., Suite 1442
Post office box:
City: Metairie
State: Louisiana
Zip: 70002
Telephone No.: 504-832-1984
Fax No.: 504-831-0892
E-Mail Address: mhaab@nbglaw.com
Website Address:

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

Name: Kevin Photiades
Title: Regulatory Manager
Street name & number: 583 Warren Ave.
Post office box:
City: Portland
State: Maine
Zip: 04103
Telephone No.: 207-774-9500
Fax No.: 877-554-1009
E-Mail Address: regulatory@pioneertelephone.com
Website Address: www.pioneertelephone.com

(c) Complaints/Inquiries from customers:

Name: David Shorey
Title: Director of Operations
Street/Post Office Box: 583 Warren Ave.
City: Portland
State: Maine
Zip: 04103
Telephone No.: 1-888-492-6878
Fax No.: 207-774-9508
E-Mail Address: dshorey@pioneertelephone.com
Website Address: www.pioneertelephone.com

16. List the states in which the applicant:

(a) has operated as a Competitive Local Exchange Telecommunications Company.

None.

(b) has applications pending to be certificated as a Competitive Local Exchange Telecommunications Company.

California, Maine, Texas, Kentucky, Indiana, Georgia, Ohio, Michigan

(c) is certificated to operate as a Competitive Local Exchange Telecommunications Company.

Illinois and Wisconsin..

(d) has been denied authority to operate as a Competitive Local Exchange Telecommunications 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.

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

(a) adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, provide explanation.

No.

(b) granted or denied a competitive local exchange certificate in the State of Florida (this includes active and canceled competitive local exchange certificates). If yes, provide explanation and list the certificate holder and certificate number.

No.

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

No.

18. Submit the following:

(a) Managerial capability: resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

(b) Technical capability: resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

(c) Financial Capability: applicant's audited financial statements for the most recent three (3) years. If the applicant does not have audited financial statements, it shall so be stated. 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.

THIS PAGE MUST BE COMPLETED AND SIGNED

REGULATORY ASSESSMENT FEE: I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

RECEIPT AND UNDERSTANDING OF RULES: I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of competitive local exchange telecommunications company (CLEC) service in Florida.

APPLICANT ACKNOWLEDGEMENT: 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 competitive local exchange telecommunications 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.**"

Company Owner or Officer

Print Name: Susan Bouchard
Title: President
Telephone No.: 207-774-9500
E-Mail Address: sbouchard@pioneertelephone.com

Signature: *Susan Bouchard*

Date: 9/26/06

EXHIBIT A

RESUMES

KEVIN PHOTIADES

Summary of Qualifications:

- Legal professional with high-level corporate and regulatory experience
- Hands-on experience with negotiating and managing business partner contracts
- Direct responsibility for guiding companies and clients in compliance activities, including legal research, drafting of documents and representation before state agencies
- Serve as day-to-day contact for vendor relations and large corporate accounts

Professional Experience:

Compliance Specialist – Telecom Management, Inc. d/b/a Pioneer Telephone Portland, Maine

June 2004 – Present

Responsible for management of all legal, regulatory and compliance activities for telecommunications company. Draft and file telecommunications licensing documents for authorities to provide local and long distance telephone services. Draft and complete corporate reports and other ongoing compliance documents. Maintain vendor relations. Research and respond to customer complaints filed with state PUCs, BBB and FCC. Review company policies and operating procedures for compliance. Update company tariffs as necessary.

Regulatory / Compliance Manager – United Systems Access, Inc. d/b/a USA Telephone Kennebunk, Maine

September 2002 – June 2004

Responsible for management of all legal, regulatory and compliance activities for telecommunications company. Negotiate and manage contracts with telecommunications vendors such as Verizon and Global Crossing. Establish and maintain vendor relations. Draft and file company tariffs that identify rates, terms and conditions for telephone service. Monitor and participate in state public utility proceedings involving compliance issues and disputes. Research and respond to customer complaints filed with state PUCs, Attorney General's office and FCC. Assist in preparing RFPs for provision of telephone service. Research and draft company policies involving collections, billing, disconnection procedures and customer privacy issues.

Paralegal – Long, Burner, Parks & DeLargy, P.C. Austin, Texas

April 1997 – July 2002

Provided legal support for three attorneys in Administrative Law section of firm in various aspects of corporate, regulatory and compliance practice. Incorporated and organized corporations, limited liability companies, and limited partnerships. Performed due diligence and drafted documents for mergers, acquisitions, and contracts. Performed compliance activities for banks, insurance companies and agencies after mergers and acquisitions were complete. Drafted state and federal trademark applications. Assisted at administrative hearings and district court appearances. Guided clients and accomplished multi-state licensing of individual insurance agents and corporate agencies, banks and other entities.

Paralegal – Hall & Kleeman, P.L.L.C.

Austin, Texas

March 1996 – April 1997

Assisted three attorneys with corporate/environmental/family law practice. Drafted client correspondence, litigation and discovery documents. Performed research at Texas Natural Resource Conservation Commission on environmental issues. Researched and drafted memos on various legal issues. Interviewed clients as needed for family law proceedings and account set-up. Assisted in bookkeeping for the firm by creating and maintaining client account spreadsheets.

Education:

Graduate: Paralegal Certificate, December 1996
Texas State University, San Marcos, Texas

Undergraduate: B.A., History, December 1991
University of Texas at Austin, Austin, Texas

Honors / Recognition:

Primary Scholarship Winner, Alamo Area Paralegal Association, Fall 1996
Panel Member, Texas Legal Educators Seminar, August 1998

PAUL F. DRISCOLL

43 Richardson Street
Portland, ME 04103
(207)-774-1060

EDUCATION:

Juris Doctor, 1981, University of Maine School of Law, Portland, Maine. Comments Editor, *Maine Law Review*.

Bachelor of Arts, 1978, University of New Hampshire, Durham, New Hampshire. Majors: Political Science and Classics; Minor: Business Administration. Academic Awards: *Phi Beta Kappa* and *Pi Sigma Alpha*.

EMPLOYMENT:

Norman, Hanson & DeTroy, LLC, Portland, Maine from 1984 through the present. Member of the Firm since January 1, 1986. Practice Concentration: Corporate and Commercial Law. Selected on January 26, 2001 for inclusion in *Best Lawyers in America*.

Verrill & Dana, LLP, Portland, Maine from 1981 through 1984. Associate. Practice Concentration: Corporate and Commercial Law.

COMPUTER SKILLS:

Experienced with Microsoft Word and Dragon Natural Word Voice Activated Software.

INTERESTS:

Bird Hunting with English Setters, Boating and Flyfishing. Marathons Completed: Dublin, Ireland Marathon, Sugarloaf Marathon (twice), Casco Bay Marathon (twice) and Pine Tree Marathon. Irish History.

PERSONAL:

Married to Beth Dobson, Esq., Partner, Verrill & Dana, LLP; Father of Three Children, including a Son with Autism.

CIVIC AND CHARITABLE:

- Leaders Circle, United Way of Greater Portland.
- Former President and Chairman of the Board of Port Resources, a Maine non-profit providing residential and support services for developmentally-challenged adults and children, including persons with autism.
- Chairman, 1999 Capital Campaign for St. Joseph's Catholic Church, Portland, Maine.

Susan E. Bouchard
1050 Highland Ave.
South Portland, Me. 04106
207-799-8433
1-866-329-7830
sue@pioneertelephone.com
www.pioneertelephone.com

Objective

Expand the company.

Experience

Telecom Management, Inc. DBA/Pioneer Telephone 1996-Current *President/CFO*

- Day to day operations
- Human Resources
- Financial record keeping

Fleet Bank of Maine 1986-1995

*Branch
Manager*

- Lending
- Managed staff of 6-10 people
- Responsible for overall profit of the branch.
- Sales of new accounts and products

Education

1986 University of Southern Maine

1986

- Computer Science
- Business Courses

Westbrook High School

1983-1986

- Business
- College prep. courses

Additional Skills

- QuickBooks
- Excel, Word, PowerPoint

Awards/Affiliations

- Banking Certificate
- Top Sales Producer

References

Available on Request

EXHIBIT B

THREE YEARS' UNAUDITED FINANCIAL STATEMENTS

No audited financial statements available.