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COMMISSION  
CLERK

May 25, 2010

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Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: XYN Communications of Florida, LLC**

To Whom it May Concern:

Enclosed for filing on behalf of *XYN Communications of Florida, LLC*, is an original and two copies of an application for Authority to Provide Competitive Local Exchange Service within the State of Florida. Also enclosed is the \$400.00 filing fee.

Your assistance in this matter is appreciated. If you have any questions or require any information, please feel free to contact me via email or telephone at the numbers listed above.

Sincerely,

Carol Lisowski  
CHLSolutions

cl/

Enclosure

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

Initials of person who forwarded check:

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10 MAY 27 AM 9:57

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- OSC \_\_\_\_\_
- CLK Nonney

CHLSolutions  
3344 Regal Ridge Street  
Las Vegas, NV 89129

Telephone: (702) 497-8370 Fax: (702) 478-2299 E-Mail: [CHLSolutions@msn.com](mailto:CHLSolutions@msn.com)

DOCUMENT NUMBER-DATE  
4458 MAY 27 0

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**

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**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**

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: XYN Communications of Florida, LLC

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

XYN Communications of Florida, LLC

4. Official mailing address:

Street/Post Office Box: 8275 S Eastern Avenue, #200

City: Las Vegas

State: NV

Zip: 89123

5. Florida address:

Street/Post Office Box:

City:

State:

Zip:

6. Structure of organization:

- |   |  |
|---|--|
| <input type="checkbox"/> Individual   | <input type="checkbox"/> Corporation         |
| <input type="checkbox"/> Foreign Corporation                                  | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership                                  | <input type="checkbox"/> Limited Partnership |
| <input checked="" type="checkbox"/> Other, Domestic Limited Liability Company |  |

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: L10000013154

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

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:

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): 27-1813383 (Parent Company - XYN Holdings International, LLC)

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

(a) The application:

Name: Carol Lisowski  
Title: Regulatory Consultant  
Street name & number: 3344 Regal Ridge St.  
Post office box:  
City: Las Vegas  
State: NV  
Zip: 89129  
Telephone No.: 702-497-8730  
Fax No.: 702-478-2299  
E-Mail Address: carol@xyncom.com  
Website Address: www.telecom-regulatory-compliance.com

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

Name: Heidi Dohse  
Title: Chief Information Officer  
Street name & number: 8275 S Eastern Avenue, #200  
Post office box:  
City: Las Vegas  
State: NV  
Zip: 89123  
Telephone No.: 702-750-0023  
Fax No.: 877-499-6996  
E-Mail Address: heidi@xyncom.com  
Website Address:

(c) Complaints/Inquiries from customers:

Name: Heidi Dohse  
Title: Chief Information Officer/Customer Service  
Street/Post Office Box: 8275 S Eastern Avenue, #200  
City: Las Vegas  
State: NV  
Zip: 89123  
Telephone No.: 702-750-0023  
Fax No.: 877-499-6996  
E-Mail Address: heidi@xyncom.com  
Website Address:

**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.

Filing in California, Illinois, New Jersey and New York

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

None

(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.

None

(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.

None

(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.

None

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: Heidi Dohse  
Title: Chief Information Officer  
Telephone No.: 702-750-0023  
E-Mail Address: heidi@xyncom.com

Signature: Heidi Dohse

Date: 5/25/10



**Exhibit A – 18(a) Managerial Capability:** resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

#### MANAGERIAL/TECHNICAL QUALIFICATIONS

XYN Communications. is staffed by professionals with decades of experience in the telecommunications field.

#### **Edward St. Croix - Chief Executive Officer**

Mr. St. Croix will serve as the Chief Executive Officer of XYN Communications. He will be responsible for the overall management and strategic vision for the Company.

Mr. St. Croix is concurrently employed by Siemens Communications, Inc. where he is Director of Major Bid Management for the North American region. Formerly, other assignments included Product Line Management for the enterprise networking systems product market for the region. Major accountabilities in his functional role are aimed at product positioning and pricing the Siemens global portfolio of existing and emerging enterprise technologies, and sold through direct and indirect distribution. Financial profit and loss responsibilities total more than \$450M in orders, revenues and contributing services from business operations.

Previously, Mr. St. Croix was the Principal of the Communications Media Group International, a consultant company, which managed a variety of projects with major telecommunications systems, software and computer manufacturers in North America, Asia and Europe. The categorical types of projects included policy projects, leading edge technology product markets for wireless, broadband and convergence networks for the service provider and enterprise market sectors.

Prior to CMGI, Mr. St. Croix was employed with Lucent Technologies where he managed multiple global marketing functional roles and interfacing to sales channels and key accounts to drive revenue growth, market share gains and multiple portfolio management globally. During his career, Mr. St. Croix has held senior executive management positions at Nortel Networks, AT&T, Datum Inc. and launched a start-up competitive service provider company.

Major achievements includes both policy and management responsibilities at his home corporation and their impact on the global economic scene. Policy success include the introduction of the first alternative access provider with AT&T, testimony before the California PUC, National Association of Utility Commissioner (NARUC) projects, grass roots deregulation efforts, European Commission relationships, long personal association with the Program for Information Resource Policy at Harvard, and has instituted primary policy research programs at the University of Southern California graduate school of business.

In the technological arena, Mr. St. Croix consummated negotiating the first collaboration agreement between telecommunications systems and computer manufacturers, the institution of frame relay technologies for networking products and pioneered several advanced product developments for wireless, data networking, optical networking products, multimedia end user products and Internet Protocol (IP) based applications.

Mr. St. Croix has traveled extensively throughout North American, European and Asian markets and has developed a variety of relationships across government and industry. In addition, he has also been directly engaged in developing US-European

telecommunications trade cooperation, industry competitive policy initiatives in the US and Europe and shaping dynamic telecommunications policy initiatives. Mr. St. Croix has long been a supporter of telecommunications policy efforts across a broad range of topics.

Mr. St. Croix was the charter Fellow at the University of Southern California, Center for Telecommunications Management, leading global research endeavors assessing telecommunications policies and investment strata around the globe and translating the impact to industry structure and change. The program produced and enabled the first marketed research study and Mr. St. Croix co-authored the research content entitled *“Telecommunications Infrastructure Policy & Performance: A Global Assessment”*. Mr. St. Croix is a graduate of Northeastern University, with a B.S. in Finance and attended Stanford University Executive Certificate Marketing Program.

### **Shawn Sims - President**

With over 13 years of experience in the telecommunications industry, Shawn Sims brings extensive leadership and insight to his role as President of XYN Communications. Mr. Sims will focus on business development and market share. His investment banking experience, facilitating over 55 mergers and acquisition deals for Internet Service Providers (ISP's) and Competitive Local Exchange Carriers, (CLEC's) provided Mr. Sims the tools to develop successful Telecommunications companies.

In 1999, he founded NuWave Communications and held the position of Chairman of the Board, President and Chief Executive Officer for two and a half years. As a development stage company, NuWave Communications raised \$5 Million in seed capital, hired key management and then a (A/B) round of an additional \$135 Million. Mr. Sims

has since been in demand as a consultant working with clients in Southeast Asia and Indonesia. Mr. Sims and his key staff deployed a fiber optic network in Jakarta, Indonesia and voice/data networks for two ILEC's in the Philippines.

Mr. Sims founded and acted as President and CEO of New Horizon International (NHI), Inc., a collocation company that focused on the delivery of post production Hollywood content and digital rights management (DRM). After the first year in business the company had top line revenue of 4 million dollars and an EBITA margin of 19%. NHI, Inc. chose to diversify, and the company financed and built Micro-Pathways which was a METRO Optical Network serving the downtown Los Angeles area. Under Mr. Sims' successful management, this entity was sold in to Wilshire Connect. In 2004, Mr. Sims bought out his partners and merged NHI into a company called Orinco Communications Group, Inc. He operated this company until 2007, at which time he sold Orinco to Net One Group, Inc. The deal was a combination of cash and stock that gave Mr. Sims a fifty percent stake in Net One Group, Inc.

Mr. Sims' other accomplishments include founding and taking on the role of Chairman of the Board and CEO of NuWave Holdings, Inc., a diversified telecommunication provider. In addition he participates as an advisor with Etaipan, a venture capital firm in San Francisco that has been involved with telecommunication related transactions since 2002. Mr. Sims is also active with Bellamy Oaks as an advisor regarding telecommunications transactions, products, and services.

Mr. Sims earned a Bachelors of Arts degree in Finance and Economics from Eastern Oregon University and a Masters in Banking and Finance from the University of Washington.

## **Mark Bunnell, Chief Operating Officer**

Mr. Bunnell is serving as XYN Communications' Chief Operating Officer. He will be responsible for network operations and support.

With over 17 years of telecommunications experience, Mr. Bunnell brings a wide range of knowledge to the Company. Mr. Bunnell has a proven track record for establishing new companies with a solid network foundation in which to develop its product base from.

While at Avalon Telecom Services, he implemented a fully redundant next generation network that propelled Avalon to over \$5M in annual revenue in their first year. He has researched, designed, and implemented various procedure and workflow processes to ensure network stability and customer retention.

At IAG, Mr. Bunnell was responsible for all aspects of the company formation, network design, and regulatory compliance. He delivered all company codes, interconnection agreements, and connected IAG's network to all service providers via SS7 and SIP protocols.

Mr. Bunnell also propelled Rio Communications to a highly successful venture as a CLEC in Oregon. He expanded the company from \$200K in revenue from one city to over \$9M in a state-wide distributed network. While there he oversaw every aspect of the business and handled day to day operations.

Mr. Bunnell has also held the titles of VP of sales with ECI Communications and President of Pacific Communication Services.

Through the years Mr. Bunnell has dealt with the evolution of products and technology from long distance to local dial tone to variety of VoIP applications. This

vast experience over a broad range of services will help XYN Communications be successful.

Mr. Bunnell attended the University of Oregon with an emphasis in Finance.

**Heidi Dohse – Chief Information Officer**

As Chief Information Officer and head of Product Marketing and Customer Service, Ms. Dohse is responsible for business strategy and IT development projects to support business best practices at XYN Communications. Ms. Dohse comes to XYN Communications with over 18 years of experience and expertise in the areas of data networks, voice services and hosted application services.

She has served in all aspects pertaining to a service provider including network design, VoIP, software architecture and development, service provider process engineering, product marketing and development, and network and service operations.

Ms. Dohse also serves as CIO to Avalon Telecom Services. She has served in various capacities with leading telecom and technology companies including Ameritech Interactive Media Services, VeriSign, Inc., Bank of America, and Verio/NTT.

At Ameritech, she was the Product Marketing Manager responsible for the successful development and launch of web hosting and e-commerce services for Ameritech's Yellow Pages customers.

During her term at VERIO/NTT, she was the Director of Product Management focusing on OEM product offerings developed for VERIO's Telecom partners including Bell South, Bell Atlantic, and Pac Bell. She then led the integration effort to combine the 54 acquired ISP companies onto a single corporate platform to support Internet access,

email and web hosting. This project was completed with less than 1% of customers being impacted.

With VeriSign, she was a leading member of the team responsible for new product development in the Naming Services business unit. Then moving to VeriSign's Operation and Infrastructure group, she was the lead Program Manager for the integration of acquired companies, located around the world, into VeriSign's corporate business and technology platforms.

With the emergence of VoIP and video conferencing as data technologies in the business communications sector, Ms. Dohse designed and implemented solutions for Blaine County Emergency Services / Homeland Security that include an "out of the box" set of tools to setup an anytime, anywhere remote Emergency Operation Command center. She has held educational seminars on the concept of communication technologies enhancing emergency services. She is also responsible for rolling out Hosted Application and IT services focused on the Small-to-Medium business sector.

Ms. Dohse is a graduate of Marylhurst University, Portland, Oregon with a Bachelor of Arts degree in the Fine Arts Program.

#### **Rafik Mishreki- Vice President of Sales**

As Vice President of Sales, Mr. Rafik Mishreki will oversee all aspects of sales. He will be responsible for the maintenance of customer billing and the business development within each existing account, contributing to the growth of XYN Communications.

With his extensive background in the Telecommunications industry, Mr. Mishreki brings to XYN Communications over ten years of experience in sales, service, and

management. He has vast experience in all aspects of the industry ranging from business development, account management, operations to technical support.

Mr. Mishreki has served in several executive positions within telecommunications and data technology companies such as Qwest Communications, US Starcom, WilTel Communications, Avalon Telecom Services, and Global Focus Communications. He was recognized as the top sales executive nationwide in 2001 with Qwest Communications, and was awarded for his outstanding performance on several occasions thereafter. As the National Director of Sales at US Starcom, Mr. Mishreki generated revenue, closed projects with major entities such as the Catholic Archdiocese of Mexico, cross sold within the company's divisions, and assisted with strategizing on many new opportunities till closure.

As the founder and CEO of Global Focus Communications, Mr. Mishreki forged international relationships with countries such as Kazakhstan, Azerbaijan, and Lithuania that later led to the establishment of direct routes for wholesale voice services. He also built a calling card platform concentrating primarily on the Asian and Central American Markets.



**Exhibit B – 18(b) Technical Capability:** resume of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

**Kyle Thomas, Chief Technical Officer**

Kyle Thomas is a veteran of the telecommunications industry with vast expertise on both the traditional TDM side and next generation networks with the ability to seamlessly bridge the “gap” between both arenas. He will be overseeing the technical side of XYN Communications working with the network and deployment.

Mr. Thomas started his Telecom career at the age of 23 after getting out of the NAVY at IDT Telecom in customer service opening tickets. His highly motivated attitude quickly got recognized by management at IDT and before he knew it, he was on the transmission team turning up DS3's, OC3's, OC12's and OC48's. Again management recognized his winning attitude and unique aptitude for technical work and promoted him to the DMS translations team where he was performing complex translations throughout the global network. Within two years Mr. Thomas found himself as the head of the SS7 department at IDT running the Global STP network and was in charge of the first STP's deployed within the SS7 network at IDT.

Mr. Thomas also currently serves as CTO at Avalon Telecom where he has deployed a next generation voice over IP network with maximum redundancy and availability utilizing self healing layer 3 IP protocols within the core to carry their hundreds of millions of minutes of VOIP traffic a month.

Mr. Thomas was one of the first Senior Architects at Vonage and was responsible for designing the current next generation Sonus Network that is still in place today. He

also designed the next generation Sigtran SS7 architecture that uses SCTP (SS7 over IP) for more flexibility and redundancy for the SS7 backbone.

Prior to Vonage, Mr. Thomas was the Director of Engineering at Monmouth Telecom where he designed and deployed 15 collocations that were all interconnected via an OC48 fiber ring to aggregate facilities back to the main POP for cost optimization. He also deployed 3 next generation soft switches during his tenure at Monmouth, which resulted in growing the retail customer base by 300%.

Mr. Thomas has become a distinguished network Architect over the last 10 years who is fluent in all technologies and protocols. This has made him a next generation network veteran with extensive network engineering and architecture experience applying technology to produce marketable products and services that are sustainable, scalable and that make business sense.

**Exhibit C – 18(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.

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.

The Applicant was founded on February 3, 2010, and as yet does not have historical financial statements. The Company anticipates having revenue in Florida in the 4<sup>th</sup> quarter of the year.

# *State of Florida*

## *Department of State*

I certify from the records of this office that XYN COMMUNICATIONS OF FLORIDA, LLC is a limited liability company organized under the laws of the State of Florida, filed on February 3, 2010.

The document number of this limited liability company is L10000013154.

I further certify that said limited liability company has paid all fees due this office through December 31, 2010, and its status is active.

I further certify that said limited liability company has not filed Articles of Dissolution.

*Given under my hand and the Great Seal of Florida, at Tallahassee, the Capital, this the Twenty Fifth day of May, 2010*



*Laura K. Roberts*  
**Secretary of State**

Authentication ID: 500181348955-052510-L10000013154

To authenticate this certificate, visit the following site, enter this ID, and then follow the instructions displayed.

<https://efile.sunbiz.org/certauthver.html>