

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: November 10, 2020

TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

FROM: Margarita Yglesias de Ayala, Public Utility Analyst I, Office of Industry Development & Market Analysis *CH*

RE: Docket No. 20200225-TX - Application for certificate to provide local telecommunications service by Branch Communications, LLC.

Attached are complementary documents and an updated application, submitted to staff by Branch Communications, LLC, to be added to the docket file. Please also update the company's information in MCD per our earlier conversation. If you have questions please contact me at (850) 413-6594.

Attachments

FLORIDA PUBLIC SERVICE COMMISSION

OFFICE OF INDUSTRY DEVELOPMENT AND MARKET ANALYSIS

APPLICATION FOR ORIGINAL AUTHORITY OR TRANSFER OF AUTHORITY TO PROVIDE TELECOMMUNICATIONS SERVICE IN THE STATE OF FLORIDA

INSTRUCTIONS

This form should be used as the application for an original certificate and transfer of an existing certificate (from a Florida certificated company to a non-certificated company). In the case of a transfer, the information shall be provided by the transferee. If you have other questions about completing the form, call **(850) 413-6600**.

Print or type all responses to each item requested in the application. If an item is not applicable, please explain. All questions must be answered. If unable to answer the question in the allotted space, please continue on a separate sheet.

Once completed, submit the **original and one copy** of this form along with a **non-refundable** fee of **\$500.00** to:

**Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770**

APPLICATION

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 rather than apply for a new certificate.

Please provide the following:

1. Full name of company, including fictitious name(s), that must match identically with name(s) on file with the Florida Department of State, Division of Corporations registration:

BRANCH COMMUNICATIONS, LLC

2. The Florida Secretary of State corporate registration number: **L20000117236**
3. F.E.I. Number: 45-3809432
4. Structure of organization:

The company will be operating as a:
(Check all that apply):

- | | | | |
|-------------------------------------|---------------------------|--------------------------|------------------------------|
| <input type="checkbox"/> | Corporation | <input type="checkbox"/> | General Partnership |
| <input type="checkbox"/> | Foreign Corporation | <input type="checkbox"/> | Foreign Partnership |
| <input checked="" type="checkbox"/> | Limited Liability Company | <input type="checkbox"/> | Limited Partnership |
| <input type="checkbox"/> | Sole Proprietorship | <input type="checkbox"/> | Other, please specify below: |
-

If a partnership, provide a copy of the partnership agreement.

If a foreign limited partnership, proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS). The Florida registration number is: _____

5. Who will serve as point of contact to the Commission in regard to the following?

(a) This application:

Name: JOSEPH ISAACS
Title: CRO
Street Address: 4274 ENFIELD COURT
Post Office Box:
City: PALM HARBOR
State: FLORIDA
Zip: 34685
Telephone No.: 727-738-5553
Fax No.:
E-Mail Address: ISAACS@ISG-TELECOM.COM

(b) Ongoing operations of the company:

(This company liaison will be the point of contact for FPSC correspondence. This point of contact can be updated if a change is necessary but this must be completed at the time the application is filed).

Name: JOHN BERGERON
Title: VP
Street Address: 7335 SOUTH LEWIS
Post Office Box: SUITE 300
City: TULSA
State: OKLAHOMA
Zip: 74136
Telephone No.: 918-949-4551
Fax No.:
E-Mail Address: John.bergeron@branchcomm.net
Company Homepage: www.branchcomm.net

(c) Optional secondary point of contact or liaison:

(This point of contact will not receive FPSC correspondence but will be on file with the FPSC).

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

6. Physical address for the applicant that will do business in Florida:

Street address: 7335 South Lewis, Suite 300
City: Tulsa
State: OK
Zip: 74136
Telephone No.: 918-949-4551
Fax No.: _____
E-Mail Address: John.bergeron@branchcomm.net

7. List the state(s), and accompanying docket number(s), in which the applicant has:

(a) **operated** as a telecommunications company. NONE

(b) **applications pending** to be certificated as a telecommunications company. ARKANSAS

(c) **been certificated** to operate as a telecommunications company. LOUISIANA, TEXAS & OKLAHOMA

(d) **been denied authority** to operate as a telecommunications company and the circumstances involved. NONE

(e) **had regulatory penalties imposed** for violations of telecommunications statutes and the circumstances involved. NONE

(f) **been involved in civil court proceedings** with another telecommunications entity, and the circumstances involved. NONE

8. The following questions pertain to the officers and directors. Have any 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? Yes No

If yes, provide explanation.

(b) granted or denied a certificate in the State of Florida (this includes active and canceled certificates)? Granted Denied Neither

If granted provide explanation and list the certificate holder and certificate number.

If denied provide explanation.

(c) an officer, director, and partner in any other Florida certificated telecommunications company? Yes No

If yes, give name of company and relationship. If no longer associated with company, give reason why not.

9. Florida Statute 364.335(1)(a) requires a company seeking a certificate of authority to demonstrate its managerial, technical, and financial ability to provide telecommunications service.

Note: *It is the applicant's burden to demonstrate that it possesses adequate managerial ability, technical ability, and financial ability. Additional supporting information may be supplied at the discretion of the applicant. For the purposes of this application, financial statements MUST contain the balance sheet, income statement, and statement of retained earnings.*

- (a) **Managerial ability:** An applicant must provide resumes of employees/officers of the company that would indicate sufficient managerial experiences of each. Please explain if a resume represents an individual that is not employed with the company and provide proof that the individual authorizes the use of the resume.
- (b) **Technical ability:** An applicant must provide resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance. Please explain if a resume represents an individual that is not employed with the company and provide proof that the individual authorizes the use of the resume.
- (c) **Financial ability:** An applicant must provide financial statements demonstrating financial ability by submitting a balance sheet, income statement, and retained earnings statement. An applicant that has audited financial statements for the most recent three years must provide those financial statements. If a full three years' historical data is not available, the application must include both historical financial data and pro forma data to supplement. An applicant of a newly established company must provide three years' pro forma data. If the applicant does not have audited financial statements, it must be so stated and signed by either the applicant's chief executive officer or chief financial officer affirming that the financial statements are true and correct.

10. Where will you officially designate as your place of publicly publishing your schedule a/k/a tariffs or price lists)? (Tariffs or price lists MUST be publicly published to comply with Florida Statute 364.04).

Florida Public Service Commission

Website – Please provide Website address: _____

Other – Please provide address: _____

THIS PAGE MUST BE COMPLETED AND SIGNED

REGULATORY ASSESSMENT FEE: I understand that all telecommunications companies must pay a regulatory assessment fee. A minimum annual assessment fee, as defined by the Commission, is required.

RECEIPT AND UNDERSTANDING OF RULES: I understand the Florida Public Service Commission's rules, orders, and laws relating to the provisioning of telecommunications company service in Florida.


APPLICANT ACKNOWLEDGEMENT: By my signature below, I, the undersigned owner or officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical ability, managerial ability, and financial ability to provide 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 have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules, orders and laws.

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 or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083.**"

I understand that any false statements can result in being denied a certificate of authority in Florida.

COMPANY OWNER OR OFFICER

Print Name: Curtis Branch
Title: CEO
Telephone No.: 918-949-4551
E-Mail Address: Curtis.branch@branchcomm.net

Signature:  Date: 10/2/2020

Branch Communications, LLC and Related Companies
Consolidated Balance Sheet

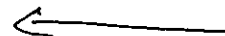
For the Twelve Months Ended December 31, 2018

	<u>Branch Communications</u>
ASSETS	
Current Assets	
Checking/Savings	
1000 · Mabrey Bank	224,023.86
10050 · CSB - WRG	2,981.70
Total Checking/Savings	<u>227,005.56</u>
11000 · Accounts Receivable	541,332.34
Total Accounts Receivable	<u>541,332.34</u>
Other Current Assets	
11250 · AR - Intercompany	113.31
11650 · AR - SH Note	750,000.00
Total Other Current Assets	<u>750,113.31</u>
Total Current Assets	<u>1,518,451.21</u>
Fixed Assets	
15000 · Furniture and Equipment	137,503.71
17000 · Accumulated Depreciation	-82,380.51
Total Fixed Assets	<u>55,123.20</u>
TOTAL ASSETS	<u><u>1,573,574.41</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
20000 · Accounts Payable	227,500.64
Total Accounts Payable	<u>227,500.64</u>
Other Current Liabilities	
21000 · LOC 2 - CSB	833,799.60
21200 · Capital BT/JL	270,500.00
Total Other Current Liabilities	<u>1,104,299.60</u>
Total Current Liabilities	<u>1,331,800.24</u>
Total Liabilities	1,331,800.24
Equity	
30000 · Retained Earnings	450,239.13
Net Income	-208,464.96
Total Equity	<u>241,774.17</u>
TOTAL LIABILITIES & EQUITY	<u><u>1,573,574.41</u></u>

Branch Communications, LLC and Related Companies
Consolidated Balance Sheet

For the Twelve Months Ended December 31, 2019

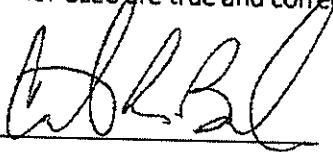
	<u>Branch Communications</u>
ASSETS	
Current Assets	
Checking/Savings	
1000 · Mabrey Bank	14,311.86
10050 · CSB - WRG	132.15
Total Checking/Savings	<u>14,444.01</u>
11000 · Accounts Receivable	922,050.52
Total Accounts Receivable	<u>922,050.52</u>
Other Current Assets	
11250 · AR - Intercompany	132,786.50
11650 · AR - SH Note	825,000.00
Total Other Current Assets	<u>957,786.50</u>
Total Current Assets	<u>1,894,281.03</u>
Fixed Assets	
15000 · Furniture and Equipment	137,503.71
15500 · Garage Condo	215,040.00
16000 · Vehicles	201,534.00
17000 · Accumulated Depreciation	-119,069.56
Total Fixed Assets	<u>435,008.15</u>
TOTAL ASSETS	<u><u>2,329,289.18</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
20000 · Accounts Payable	93,905.13
Total Accounts Payable	<u>93,905.13</u>
Other Current Liabilities	
21000 · LOC 2 - CSB	1,571,255.57
21200 · Capital BT/JL	270,500.00
25100 · Ford Finance	171,146.32
Total Other Current Liabilities Total	<u>2,012,901.89</u>
Current Liabilities	<u>2,106,807.02</u>
Total Liabilities	<u>2,106,807.02</u>
Equity	
30000 · Retained Earnings	314,603.07
Net Income	-92,120.91
Total Equity	<u>222,482.16</u>
TOTAL LIABILITIES & EQUITY	<u><u>2,329,289.18</u></u>



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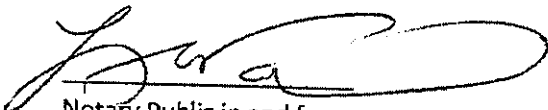
STATE OF OKLAHOMA)
)
COUNTY OF Tulsa) SS

My name is Curtis Branch and I am the CEO of the Applicant BRANCH COMMUNICATIONS, LLC. I swear and affirm that I have personal knowledge of the facts stated in the additionally attached financial statements and that I am competent to testify to them, and that I have the authority to make the submission on behalf of the Applicant. I further swear or affirm that all of the statements and representations made in this attachment to my Application for CLEC are true and correct.

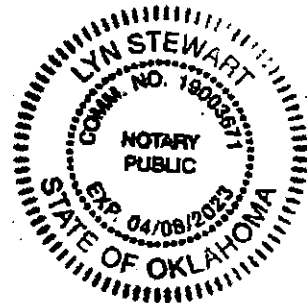


Curtis Branch
CEO
Branch Communications, LLC

Sworn and subscribed this 5th day of November 2020



Notary Public in and for
the State of Oklahoma



My commission expires: 4/8/2023

Branch Communications
Proforma for calendar year 2020

Ordinary Income/Expense
Income

	Sales	\$	5,625,738
Total Income		\$	5,625,738
Cost of Goods Sold		\$	652,791
Gross Profit		\$	<u>4,972,947</u>

Expenses

Property Taxes	\$	71
Equipment Rental	\$	3,491
Automobile	\$	53,885
Bank Service Charges	\$	12,736
Computer & Internet	\$	54,058
Copier lease	\$	9,293
Donations	\$	680
Dues & Subscriptions	\$	32,659
Insurance	\$	5,691
Entertainment	\$	9,948
Business Meals	\$	20,071
Payroll	\$	3,667,363
Office Supplies	\$	20,550
Office Expense	\$	(619)
Postage	\$	5,400
Professional Fees	\$	12,921
Employee events	\$	989
Customer appreciation	\$	4,722
Rent	\$	39,656
Utilities	\$	25,864
Repairs & Maintenance	\$	22,202
Cell Phones	\$	20,952
Mileage	\$	3,235
Travel	\$	130,159
Education	\$	1,388
Employee Reimbursement	\$	(2,650)
Employee training	\$	2,525
Memberships	\$	21,288
Events	\$	1,000
Taxes	\$	382
Closing costs	\$	2,788
Interest Expense	\$	90,803
Guaranteed payments	\$	180,322
Total Expenses	\$	4,453,823
Net Income	\$	519,124

Branch Communications
Proforma Balance Sheet 2020

ASSETS

Checking	\$	1,227,975
Accounts Receivables	\$	1,385,660
Other Assets		
CRB	\$	66,054
Shareholder Note	\$	825,000
Prepaid Expenses	\$	69,815
Loan Williams	\$	13,495
Total Other Assets	\$	974,364
Total Current Assets	\$	3,587,999

Fixed Assets

Furniture	\$	137,505
Condo	\$	325,000
Vehicles	\$	201,534
Accumulated Depreciation	\$	(179,070)
Total fixed assets	\$	484,969

TOTAL ASSETS \$ 4,072,968

Liabilities

Accounts Payables	\$	171,645
LOC 2	\$	1,669,227
PPP-SBA	\$	603,700
Capital BT/JL	\$	290,700
Fored Finance	\$	145,440

TOTAL LIABILITIES \$ 2,880,712

Equity

Opening Balance	\$	489,205
Member 1 Draws	\$	(7,291,943)
Member 2 draws	\$	(627,880)
Member 2 Equity	\$	1,821,157
Retained Earnings	\$	6,282,593
Net income	\$	519,124
Total Equity	\$	1,192,256
TOTAL LIABILITIERS & EQUITY	\$	4,072,968