

Potomac LAW GROUP

Potomac Law Group, PLLC

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January 17, 2024

Via Electronic Filing

Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Application of 10TEL LLC to Provide Telecommunications Services within the State of Florida

Dear Sir or Madam:

Attached please find, for filing electronically, the Application of 10TEL LLC to provide Telecommunications Services within the State of Florida.

Pursuant to Section 364.183(1) of the Florida Statutes, and 25 FL ADC 25-22.006, **Exhibit B** of the Application, which contains financial information about the Applicant, is filed under seal. Applicant is a privately-held company, with no obligation to publicly disclose its financial information. Applicant routinely requests non-disclosure of its financial information when it is shared outside of the organization, as is the case here. Public disclosure of this information can provide insight into the Applicant's strategic initiatives, and would allow competitors access to Skywire's financials, thus causing unfair economic damage and substantially harm Skywire. Therefore, Skywire respectfully requests that the Commission allow this material be filed under seal. Applicant is providing one unredacted copy of the Application with the confidential material highlighted, marked "Confidential," and in a sealed envelope under separate cover via FedEx.

A check in the amount of \$500.00 is also included to cover the requisite filing fee also will be submitted under separate cover.

Thank you for your anticipated cooperation in this matter.

Respectfully submitted,

/s/

Katherine Barker Marshall, Counsel to 10TEL LLC

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:

10TEL LLC

2. The Florida Secretary of State corporate registration number:

L18000218103

3. F.E.I. Number: 83-1978430

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: Katherine Barker Marshall
Title: Potomac Law Group, PLLC
Street Address: 1717 Pennsylvania Ave NW, Suite 1025
Post Office Box:
City: Washington
State: DC
Zip: 20006
Telephone No.: 202-792-6422
Fax No.: 202-318-7707
E-Mail Address: kmarshall@potomacclaw.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: Luciano Garavaglia
Title: CEO
Street Address: 848 Brickell Ave, #810
Post Office Box:
City: Miami
State: FL
Zip: 33131
Telephone No.: 786-224-2442
Fax No.:
E-Mail Address: admin@10Tel.com
Company Homepage: <https://10tel.com/>

(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: James Merced
Title: CFO
Street Address: 848 Brickell Ave, #810
Post Office Box:
City: Miami
State: FL
Zip: 33131
Telephone No.: 786-224-2442
Fax No.:
E-Mail Address: admin@10Tel.com

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

Street address: 848 Brickell Ave, #810
City: Miami
State: FL
Zip: 33131
Telephone No.: 786-224-2442
Fax No.: _____
E-Mail Address: sales@10Tel.com

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.
None

(c) **been certificated** to operate as a telecommunications company. None

(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.
James Merced is the CFO of Identidad Advertising Development LLC, which registered as an Interexchange Carrier in Docket No. 060390-TI on May 12, 2006 (Company Code TK073), and was subsequently designated as "deregulated."

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.

See above, James Merced continues to hold the position of CFO of Identidad Advertising Development LLC.

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: https://10tel.com/

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:	LUCIANO GARAVAGLIA
Title:	CEO
Telephone No.:	786-224-2442
E-Mail Address:	LUCIANO@10TEL.COM

Signature:



Date: 1/10/2023

CERTIFICATE TRANSFER

As current holder of Florida Public Service Commission Certificate Number _____,
I have reviewed this application and join in the petitioner's request for a transfer of the
certificate.

COMPANY OWNER OR OFFICER

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

Signature: _____ Date: _____

Exhibit A

Managerial and Technical Ability

10Tel is managed by individuals with years of experience in the telecommunications field.

Luciano Garavaglia, Chief Executive Officer – Mr. Garavaglia is a Sales Executive with over 15 years experience in Telecommunications products and services, with a strong background in management, selling and procurement of Voice Termination, Broadband/Data, IP & International Services, with extensive experience in complex communications products. Prior to joining 10Tel, Mr. Garavaglia served for five years as the Chief Executive Officer of Matchcom Telecommunications, which specialized in provision of international telecommunications and related services including traffic monitoring and management. Mr. Garavaglia also served as the Vice President of Sales for the Latin and Caribbean region for Telarix, a company that specializes in integration of software solutions for telecommunications carrier, for more than 10 years.

James Merced – Chief Financial Officer – Mr. Merced is the co-founder of Identidad Advertising Development, LLC, a/k/a Identidad Telecom, which was formed in 2002. He has served as its Chief Financial Officer since inception. Identidad Advertising Development provides enterprise telecommunications services to companies outside of the US wishing to originate and terminate calls between the US and foreign points, primarily Latin and South America. In his role as CFO, Mr. Merced has negotiated and managed agreements with 115 carriers in 33 countries. He oversees a team of 8 within Identidad's accounting department and has consistently increased profitability for the Company.

Exhibit B

Financial Statements

**Confidential and Proprietary – Filed Under Seal, Pursuant
to FL ST § 364.183**

[THE ENTIRETY OF THIS EXHIBIT IS FILED UNDER SEAL]