

RECEIVED
JUL 15 10 08 AM '99
ADMINISTRATION
MAIL ROOM

2550 M Street, NW
Washington, DC 20037-1350
202-457-6000
Facsimile 202-457-6315

July 14, 1999

Paul C. Besozzi
202-457-5292
pbsozzi@pattonboggs.com

BY FEDERAL EXPRESS

Florida Public Service Commission
Division of Records & Reporting
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

990922-TX

**Re: Application of PICUS Communications, LLC For Authority To Provide
Alternative Local Exchange Service Within The State Of Florida**

Ladies and Gentlemen:

Enclosed are an original and six (6) copies of the application of PICUS Communications, LLC ("PICUS") for authority to provide alternative local exchange service within the State of Florida. Financial information being provided in support of the application is considered confidential and proprietary and, therefore, PICUS is hereby requesting that it not be made part of the public record. That information is, therefore, being filed under seal in a separate envelope marked "Confidential and Proprietary Financial Information." The requisite filing fee of \$250.00 is also enclosed.

An extra copy of this letter is enclosed to be stamped "filed" or "received" and returned in the enclosed envelope. Should you have any questions, please contact the undersigned counsel.

Sincerely yours,



Paul C. Besozzi
PCB/lyt

Enclosures

Check received with filing and
forwarded to Fiscal for deposit.
Fiscal to forward a copy of check
to RAR with proof of deposit.

Initials of person who forwarded check:
LLH

DOCUMENT NUMBER-DATE
08473 JUL 15 99
FPSC-RECORDS/REPORTING

RECEIVED
JUL 15 10 03 AM '99
ADMINISTRATIVE
MAIL ROOM

July 14, 1999

DEPOSIT DATE
D169 # JUL 15 1999

Paul C. Besozzi
202-457-5292
pbesozzi@pattonboggs.com

BY FEDERAL EXPRESS

Florida Public Service Commission
Division of Records & Reporting
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

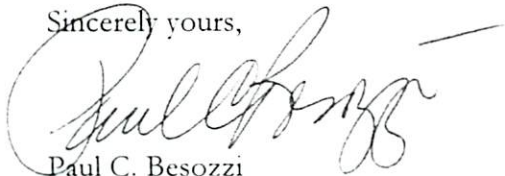
**Re: Application of PICUS Communications, LLC For Authority To Provide
Alternative Local Exchange Service Within The State Of Florida**

Ladies and Gentlemen:

Enclosed are an original and six (6) copies of the application of PICUS Communications, LLC ("PICUS") for authority to provide alternative local exchange service within the State of Florida. Financial information being provided in support of the application is considered confidential and proprietary and, therefore, PICUS is hereby requesting that it not be made part of the public record. That information is, therefore, being filed under seal in a separate envelope marked "Confidential and Proprietary Financial Information." The requisite filing fee of \$250.00 is also enclosed.

An extra copy of this letter is enclosed to be stamped "filed" or "received" and returned in the enclosed envelope. Should you have any questions, please contact the undersigned counsel.

Sincerely yours,



Paul C. Besozzi
PCB/lyt

Enclosures

RECEIVED
JUL 14 10 03 AM '99
ADMINISTRATIVE
MAIL ROOM

July 14, 1999

Paul C. Besozzi
202-457-5292
pbesozzi@pattonboggs.com

BY FEDERAL EXPRESS

Florida Public Service Commission
Division of Records & Reporting
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

**Re: Application of PICUS Communications, LLC For Authority To Provide
Alternative Local Exchange Service Within The State Of Florida**

Ladies and Gentlemen:

Enclosed are an original and six (6) copies of the application of PICUS Communications, LLC ("PICUS") for authority to provide alternative local exchange service within the State of Florida. Financial information being provided in support of the application is considered confidential and proprietary and, therefore, PICUS is hereby requesting that it not be made part of the public record. That information is, therefore, being filed under seal in a separate envelope marked "Confidential and Proprietary Financial Information." The requisite filing fee of \$250.00 is also enclosed.

An extra copy of this letter is enclosed to be kept in the "Confidential" file.

1321

PICUS COMMUNICATIONS, LLC
ONE COLUMBUS CENTER, SUITE 641
VIRGINIA BEACH, VA 23462
(757) 321-4901

FIRST UNION NATIONAL BANK
68-141-510

Two Hundred Fifty and 0/100 Dollars

DATE AMOUNT

Jul 12, 1999 *****\$250.00*

PAY TO THE ORDER OF Florida Public Service Comm.
Division Records & Reporting
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



Memo:

⑈00001321⑈

Security features included. Details on back.

MP

**** FLORIDA PUBLIC SERVICE COMMISSION ******DIVISION OF TELECOMMUNICATIONS**
BUREAU OF CERTIFICATION AND SERVICE EVALUATION**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 (See Appendix A).
- ◆ 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 Records and Reporting
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 Telecommunications
Bureau of Certification and Service Evaluation
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600

APPLICATION

1. This is an application for \checkmark (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.

() **Approval of assignment of existing certificate:** Example, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.

() **Approval of transfer of control:** Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

PICUS Communications, LLC

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

PICUS Communications, LLC

4. Official mailing address (including street name & number, post office box, city, state, zip code):

2877 Guardian Lane

Suite 301

Virginia Beach, Virginia 23452

5. Florida address (including street name & number, post office box, city, state, zip code):

Corporation Service Company (Registered Agent)

1201 Hays Street

Tallahassee, Florida 32301

6. Structure of organization:

- () Individual () Corporation
- () Foreign Corporation () Foreign Partnership
- () General Partnership () Limited Partnership
- (x) Other Foreign Limited
Liability Company

7. **If individual**, provide:

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ **Fax No.:** _____

Internet E-Mail Address: _____

Internet Website Address: _____

8. **If incorporated in Florida**, provide proof of authority to operate in Florida:

- (a) **The Florida Secretary of State corporate registration number:**

9. **If foreign corporation**, provide proof of authority to operate in Florida:

- (a) **The Florida Secretary of State corporate registration number:**

10. **If using fictitious name-d/b/a**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:

- (a) **The Florida Secretary of State fictitious name registration number:**

company
11. **If a limited liability ~~partnership~~**, provide proof of registration to operate in Florida:

(a) **The Florida Secretary of State registration number:**

M99000001043

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

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

Telephone No.: _____ **Fax No.:** _____

Internet E-Mail Address: _____

Internet Website Address: _____

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) **The Florida registration number:** _____

14. Provide **F.E.I. Number**(if applicable): 0541927257

15. Indicate if any of the 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, or whether such actions may result from pending proceedings. Provide explanation.

Not applicable

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

Not applicable

16. Who will serve as liaison to the Commission with regard to the following?

(a) The application:

Name: Paul C. Besozzi

Title: _____

Address: Patton Boggs LLP, 2550 M Street, N.W.

City/State/Zip: Washington, D.C. 20037

Telephone No.: 202-457-5292 **Fax No.:** 202-457-6315

Internet E-Mail Address: pbesozzi@pattonboggs.com

Internet Website Address: not applicable

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

Name: John R. Williams

Title: Vice President - CLEC Operations

Address: 2877 Guardian Lane, Suite 301

City/State/Zip: Virginia Beach, Virginia 23452

Telephone No.: 757-321-4901 Ext. 514 **Fax No.:** 757-463-6589

Internet E-Mail Address: john@picus.com

Internet Website Address: Not applicable

(c) Complaints/Inquiries from customers:

Name: John R. Williams

Title: Vice President - CLEC Operations

Address: 2877 Guardian Lane, Suite 301

City/State/Zip: Virginia Beach, Virginia 23452

Telephone No.: 757-321-4901 **Fax No.:** 757-463-6589
Ext. 514

Internet E-Mail Address: john@picus.com

Internet Website Address: _____

17. List the states in which the applicant:

(a) has operated as an alternative local exchange company.

Virginia

(b) has applications pending to be certificated as an alternative local exchange company.

District of Columbia, Maryland

(c) is certificated to operate as an alternative local exchange company.

Virginia

(d) has been denied authority to operate as an alternative local exchange 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

18. Submit the following:

A. Financial capability. - See Exhibit 1 attached.

The application **should contain** the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The 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.*

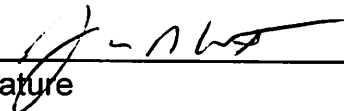
Further, the following (which includes supporting documentation) should be provided:

1. **written explanation** that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
 2. **written explanation** that the applicant has sufficient financial capability to maintain the requested service.
 3. **written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.
- B. Managerial capability: give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each. - See Exhibit 2 attached.
- C. Technical capability: give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance. - See Exhibit 3 attached.

**** 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. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

UTILITY OFFICIAL:

Signature		Date	7/12/99
Title	Vice President - CLEC Operations	Telephone No.	757-321-4901
Address:	2877 Guardian Lane, Suite 301	Fax No.	757-463-6589
	Virginia Beach, VA 23452		

ATTACHMENTS:

- A - CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT
- B - INTRASTATE NETWORK
- C - AFFIDAVIT

(NOT APPLICABLE)

**** APPENDIX A ****

CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT

I, (Name) _____,

(Title) _____ of (Name of Company)

_____ and current holder of Florida Public Service Commission Certificate Number # _____

_____, have reviewed this application and join in the petitioner's request for a:

() sale

() transfer

() assignment

of the above-mentioned certificate.

UTILITY OFFICIAL:

Signature

Date

Title

Telephone No.

Address: _____

Fax No.

INTRASTATE NETWORK (if available) - NOT AVAILABLE AS OF THIS DATE

Chapter 25-24.825 (5), Florida Administrative Code, requires the company to make available to staff the alternative local exchange service areas only upon request.

1. POP: Addresses where located, and indicate if owned or leased.

1) _____	2) _____
_____	_____
3) _____	4) _____
_____	_____

2. SWITCHES: Address where located, by type of switch, and indicate if owned or leased.

1) _____	2) _____
_____	_____
3) _____	4) _____
_____	_____

3. TRANSMISSION FACILITIES: POP-to-POP facilities by type of facilities (microwave, fiber, copper, satellite, etc.) and indicate if owned or leased.

<u>POP-to-POP</u>	<u>OWNERSHIP</u>
1) _____	_____
2) _____	_____
3) _____	_____
4) _____	_____

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:

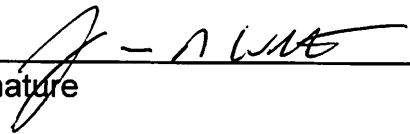
Signature		Date	7/12/99
Title	Vice President - CLEC Operations	Telephone No.	757-321-4901
Address:	2877 Guardian Lane	Fax No.	757-463-6589
	Suite 301, Virginia Beach, Virginia		
	23452		

EXHIBIT 1

FINANCIAL CAPABILITY

The Applicant possesses sufficient financial capability to provide and maintain alternative local exchange service within the State of Florida, including meeting its lease and ownership obligations. The Applicant has access to financial resources through Ecufin, Inc., a privately-held State of Virginia corporation which is the ultimate parent of the Applicant. Ecufin's financial statements demonstrate very substantial current assets and Ecufin has committed to supporting the Applicant's financial needs for its Florida operations. Evidence of that commitment is attached hereto as Attachment 1. Ecufin's three-year financial statements are also being submitted, under separate cover. Applicant, formed in November of 1998, is submitting its most recently available financial statements. As noted above, Ecufin, as is Applicant, is a privately-held company and both request that this financial information be kept confidential and not subject to the public disclosure. In addition, the Applicant will have access to the necessary capital through existing lending relationships with First Union National Bank. Finally, as noted elsewhere in this Application, the Applicant has existing operations which are generating cash flow. Collectively, this information establishes the financial capability of the Applicant.

Ecufin, Inc.
One Columbus Center
Suite 641
Virginia Beach, Virginia 23462

July 8, 1999

John R. Williams
 Vice President – CLEC Operations
 PICUS Communications, LLC
 2788 Guardian Lane
 Suite 301
 Virginia Beach, Virginia 23452

**Re: Applications to the Florida Public Service Commission
 for Authority to become a Provider of Interexchange
 and Local Exchange Service**

Dear Mr. Williams:

The purpose of this letter is to further confirm that Ecufin, Inc. shall guarantee the necessary financial resources to PICUS Communications, LLC ("PICUS") for its planned telecommunications operations in the State of Florida. That is the intent of the representations made in PICUS' Applications, as supported by Ecufin's financial statements, as submitted in connection with PICUS Applications.

[Signature] 7/12/99
 Name: BIJAN KAZEMI

Title: Exec. VP & CFO

County of Virginia Beach
 Commonwealth of Virginia

Subscribed and sworn to before me by Bijan Kazemi of Ecufin, Inc.
 this 12th day of July 1999.

[Signature]

 NOTARY PUBLIC

My Commission Expires: My Commission Expires August 31, 2002

EXHIBIT 2

MANAGERIAL CAPABILITY

Attached are description of the Applicant's key managers. The group is highly qualified to oversee, provide and maintain the proposed services. The group collectively has over 75 years of experience in telecommunications, including 10 years managing TFN Group Communications, a highly successful Virginia-based national long-distance telephone provider which merged its U.S. operations with Worldcom in 1992.

BIOGRAPHIES OF PICUS MANAGEMENT TEAM

Mohammad Koochekzadeh

Mohammad Koochekzadeh is the Chairman and CEO of PICUS.

His 30-year industrial and manufacturing background as the chairman and founder of Ecufin, Inc. included acquisition and management of large appliance manufacturing companies in Italy.

In 1986 Mr. Koochekzadeh entered the US telecommunication industry and established TFN Group Communications, as a wholly owned subsidiary of Ecufin. TFN grew to be a highly successful national long distance company, merging with WorldCom in 1992.

As Chairman and CEO of PICUS, Mr. Koochekzadeh contributes his experience as a driving force for the company.

Michael Adolphi

Michael Adolphi is the President of PICUS.

Mr. Adolphi is the President and founder of iTRiBE, a Norfolk, VA company focused on Internet software development that enables Internet based commerce. He also serves as Executive Vice President and Co-founder of PROSOFT, a 300 employee, 30 million in sales Virginia Beach, VA company. It's focus is on software development and training; network and telecommunications design, installation and maintenance; training development and engineering and analytical support.

Mr. Adolphi joins PICUS as President with over 16 years engineering experience on defense-related programs and over 14 years executive experience with U.S. Government and commercial contracting.

Bijan Kazemi

Bijan Kazemi is the Vice-Chairman and CFO for PICUS.

Mr. Kazemi was the controller and vice-chairman of Warwick Manufacturing Corporation, a subsidiary of Philco – USA and continued in that position for five years before re-joining the Ecufin group as the Executive Vice President of TFN Group Communications. Mr. Kazemi joined WorldCom (then LDDS) in 1992 as Director of Operations – International, until he resumed his cooperation with Ecufin to establish a telecommunications operation in Europe.

Mr. Kazemi now serves as Vice-Chairman and CFO for PICUS.

Thomas Flake

Thomas Flake is the Executive Vice President of Business Development for PICUS.

Mr. Flake is the President of Synergy Consultants, a nationally renowned Customer Support company serving the customers of Internet Providers from coast to coast in the United States.

Mr. Flake developed and implemented the underlying business model which has allowed the technical support center to grow from 500 clients supported to over 10,000 and continues to be the driving force in this expansion.

Mr. Flake was instrumental in the first PICUS acquisition. less than two months into operation. The acquisition of Atlantic Telecom placed PICUS into center stage as a Competitive Local exchange Carrier for the state of Virginia.

Mr. Flake serves as Executive Vice President of Business Development for PICUS.

Robert Sabine, Jr.

Robert Sabine, Jr. is the Vice President of Network Operations for PICUS.

Mr. Sabine worked with Universal Network Services as Vice President of information services and was responsible for all computer and data networking operations which supported pre-paid telephone calling cards, cellular, and traditional long distance services.

Mr. Sabine worked with TFN for four years as the Networking Manager before re-joining Ecufin in March 98 to take charge of networking and information services.

Mr. Sabine now heads the Networking operations for PICUS worldwide as Vice President.

Kamran Koochekzadeh

Kamran Koochekzadeh is the Vice-President of European Operations for PICUS.

Mr. Koochekzadeh has been instrumental in establishing the European operations of Ecufin in Switzerland and Germany by negotiating termination agreements, hiring sales forces and obtaining the necessary licenses and carrier identification codes.

Prior to his European responsibilities, Mr. Koochekzadeh worked with TFN as the market manager for California – US a market that he developed over a two-year period to become a successful part of TFN.

Kamran Koochekzadeh serves as Vice-President of European Operations for PICUS in the European Headquarters located in Lugano, Switzerland.

John Williams

John Williams is Vice President of CLEC Operations for PICUS.

John Williams joined PICUS as Vice President of CLEC Operations in December of 1998. Mr. Williams came to PICUS by way of the Atlantic Telecom acquisition, one of Virginia's first operating Competitive Local Exchange Carriers (CLEC). As Director of Telecommunications for Atel, Mr. Williams developed the CLEC program from its inception.

As Vice President of CLEC Operations for PICUS, Mr. Williams' responsibilities include the day to day operation of the PICUS Local-Link dial-tone service. PICUS Local-Link is available in the Bell Atlantic operating areas within the state of Virginia.

EXHIBIT 3

TECHNICAL CAPABILITY

As reflected in the previously-provided background information on the Applicant's management team, there is substantial technical experience in the operation and maintenance of telecommunications services and facilities. In addition, the same management team is overseeing the provision of such services in the State of Virginia, to some 3,500 customers, and expects to be doing so in the near future in the District of Columbia and Maryland.

RECEIVED
JUL 15 10 03 AM '99
JOHNSTON
MAIL ROOM

2550 M Street, NW
Washington, DC 20037-1350
202-457-6000
Facsimile 202-457-6315

July 14, 1999
DEPOSIT DATE
D169 JUL 15 1999

Paul C. Besozzi
202-457-5292
pbsozzi@pattonboggs.com

BY FEDERAL EXPRESS

Florida Public Service Commission
Division of Records & Reporting
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

990922-TX

Re: Application of PICUS Communications, LLC For Authority To Provide
Alternative Local Exchange Service Within The State Of Florida

Ladies and Gentlemen:

Enclosed are an original and six (6) copies of the application of PICUS Communications, LLC ("PICUS") for authority to provide alternative local exchange service within the State of Florida. Financial information being provided in support of the application is considered confidential and proprietary and, therefore, PICUS is hereby requesting that it not be made part of the public record. That information is, therefore, being filed under seal in a separate envelope marked "Confidential and Proprietary Financial Information." The requisite filing fee of \$250.00 is also enclosed.

An extra copy of this letter is enclosed to be stamped "filed" or "received" and returned in the enclosed envelope. Should you have any questions, please contact the undersigned counsel.

Sincerely yours, 

DOCUMENT NUMBER-DATE
08473 JUL 15 99
FPSC-RECORDS/REPORTING

PICUS COMMUNICATIONS, LLC
ONE COLUMBUS CENTER, SUITE 641
VIRGINIA BEACH, VA 23462
(757) 321-4901

FIRST UNION NATIONAL BANK
68-141-510

1321

Two Hundred Fifty and 0/100 Dollars

DATE AMOUNT

Jul 12, 1999 *****\$250.00*

PAY TO THE ORDER OF
Florida Public Service Comm.
Division Records & Reporting
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Memo:



00001321