

# BELLSOUTH Mobility<sup>\*</sup>

1027 N. Woodland Blvd. Deland, FL 32720 904-734-0057 fax 904-822-4775 2422 S. Ridgewood Ave. S. Daytona, FL 32119 904-322-1911 fax 904-322-2457

03/23/00

Florida Public Service Commission Division of Records and Reporting 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 DATE D269 MAR23200 000366-TX

Dear Sirs;

Please accept my application for authority to provide alternative local exchange service within the state of Florida.

I have included the original application along with 6 copies as per your instructions, as well as a check for \$250.00 for the non-refundable application fee.

Please contact me if you have any questions or need any additional information. Our company has been in the telecommunications business in this area since 1991 and we are well positioned to offer this type service to our existing customers along with new customers.

Thank-you for your consideration.

Sincerely,

aller

Thomas E. Allen President 904-734-0057

03807-00



# ORIGINAL

### **APPLICATION**

1. This is an application for  $\sqrt{}$  (check one):

000366-TX

- (X) 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:

Deland Actel, Inc.

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

Deland Actel, Inc.

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

1027 N. Woodland Blvd., Deland, FL 32720

5. Florida address (including street name & number, post office box, city, state, zip code): 1027 N. Woodland Blvd., Deland, FL 32720

FORM PSC/CMU 8 (11/95) Required by Commission Rule Nos. 25-24.805, 25-24.810, and 25-24.815

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6.	Structure of organization:					
	<ul> <li>( ) Individual (X) Corporation</li> <li>( ) Foreign Corporation ( ) Foreign Partnership</li> <li>( ) General Partnership ( ) Limited Partnership</li> <li>( ) Other</li> </ul>					
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: P99000098640					
9.	If foreign corporation, provide proof of authority to operate in Florida:					
	(a) The Florida Secretary of State corporate registration number:					
	<u>NA</u>					
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:					

NA

- 11. If a limited liability partnership, provide proof of registration to operate in Florida:
  - (a) The Florida Secretary of State registration number:

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NA

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: NA
14.	Provide F.E.I. Number(if applicable):
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 an crime, or whother such actions may result from panding pressedings. Brouids

(a) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. <u>Provide</u> explanation.

NONE

FORM PSC/CMU 8 (11/95) Required by Commission Rule Nos. 25-24.805, 25-24.810, and 25-24.815

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(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.

NONE

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

(a) The application:

Name:	Name: Thomas E. Allen					
Title:	Presid	ent		· · · · · · · · · · · · · · · · · · ·		
Address:	Address: 1027 N. Woodland Blvd.					
City/State	City/State/Zip: Deland, FL 32720					
-				_ Fax No.:	904-	822-4775
Internet E	-Mail A	ddress:	TAllen533	3@aol.com		
(b) Offici	al point	of contact	for the ong	oing operatio	ns of t	he company:
Name:	Thom	as E. Allen	·		<u></u>	
Title:	Presid	ent				
Address: 1027 N. Woodland Blvd.						
City/State/Zip: Deland, FL 32720						
Telephone	e No.:_	904-734-00	57	Fax No.	:	904-822-4775
Internet E-Mail Address: TAllen5333@aol.com						

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	(c) Complaints/Inquiries from customers: Name: Thomas E. Allen
	President         Address:       1027 N. Woodland Blvd.
	City/State/Zip:
	904-734-0057 904-822-4775 Telephone No.: Fax No.:
	Internet E-Mail Address:
	Internet Website Address:NONE
17.	List the states in which the applicant:
	(a) has operated as an alternative local exchange company.
	NONE
	(b) has applications pending to be certificated as an alternative local exchange company.
	NONE
	(c) is certificated to operate as an alternative local exchange company.

(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.
<del>,</del>		NONE

#### 18. Submit the following:

A. Financial capability.

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 <u>affirming that the financial statements</u> 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.

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# \*\* APPLICANT ACKNOWLEDGMENT STATEMENT \*\*

- REGULATORY ASSESSMENT FEE: I understand that all telephone companies must pay a regulatory assessment fee in the amount of <u>.15 of one percent</u> 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 OFF	TICIAL: mart allow	3-24-2000		
Signature		Date		
	President		904-734-0057	
Title		Telephone N	10.	
Address:	1027 N. Woodland Blvd.		904-822-4775	
······································	Deland, FL 32720	Fax No.		

#### ATTACHMENTS:

A - CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT

- B INTRASTATE NETWORK
- **C AFFIDAVIT**

FORM PSC/CMU 8 (11/95) Required by Commission Rule Nos. 25-24.805, 25-24.810, and 25-24.815

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#### \*\* APPENDIX C \*\*

#### 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."

Signature	nor Ollen	<u>3-24-2000</u> Date	
	President	904-734-0057	
Title		Telephone No.	
Address:	1027 N. Woodland Blvd.	904-822-4775	
	Deland, FL 32720	Fax No.	

#### About Deland ACTEL, Inc. (Actel)

Actel is the oldest and largest authorized agent of BellSouth Mobility, Inc. in Central Florida. We have been active in the paging and cellular phone business since 1991 and we still have many customers that were signed up with our service dating back to June of 1991. Actel is also one of the largest paging resellers in Volusia County representing the top five paging carriers in the country.

We were recently called by one of the managers for a nationwide paging carrier, "one of the best, if not the best, paging resellers in the State of Florida". This was in reference to our history of providing quality service to our customers, a first-class facility with highly professional employees. And last but not least, our ability to pay our bills over the years.

As an "agent" of BellSouth Mobility, Inc. we market and sell the service for which we receive a commission check monthly. We also receive a residual based on the billing our customers, coop funds, and market development funds for expansion of BMI's market. We were named BellSouth Mobilities Agent of the Year for several years, including 1999.

As a "reseller" of paging service, we contract with several paging carriers to purchase paging service at a wholesale rate, and then we resell that service to our customers at a retail rate. We do all the billing and collection. The paging carrier provides us nothing but the service that we pay them for. This relationship is not "exclusive" and we can offer competitive services.

We find this combination of services and relationships very effective. It gives us the ability to rely on the financial strength of the carrier in the cellular business and take advantage of our own strengths in the less financially demanding paging market.

Actel has been in our present location, a facility that we lease, at 1027 N. Woodland Blvd. since 1993. We opened our location at 2422 S. Ridgewood Ave., our own building, in South Daytona in July of 1999.

When ACTEL becomes an authorized CLEC we will provide services not available from the local telephone companies. Since our paging business has always offered only a "prepaid" service, we will continue to offer that type of service for home phone service. By paying in advance, there will be no deposit required, therefore giving us a competitive edge over the local IBEC. Also, the local IBEC offers no place to pay your telephone bill in our service area. Many of our customers would prefer to pay their bills at a local office and we can and already provide that type of service to our customers



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Information and Background on Thomas E. Allen, President

1974 - Graduated from Mercer University in Macon, GA with Bachelor of Arts degree.

1978 - 1980 Radiocall, Inc., Macon, GA Sales Director responsible for the sales and marketing of pagers and mobile phones.

1980 - 1982 A-Action Answering Service, Macon, GA Owner and operator of 24 hour answering service, including the sales and service on pagers and mobile phones.

1982 - 1991 Actel, Inc., Macon, GA Partner and General Manager. Responsible for the sales and service of business telephone equipment including key telephone systems and PBX telephone systems. This business was started to take advantage of the break-up of AT&T. Grew to 27 employees and sales of 4 million dollars per year.

1991 - Present Deland Actel, Deland, FL President and Owner. Purchased this business from Actel, Inc. in Macon, GA. Grew and expanded as a reseller of pager service and as an agent for BellSouth Mobility, Inc. for cellular service.

Summary: Thomas E. Allen has spent the past 22 years in the telecommunications industry selling and providing service for all types of communications equipment. Extensive knowledge and training in establishing service, training, and systems to provide the customer with the very best customer service available. All our systems and personnel to operate a CLEC are currently in place and ready to go.

03/22/00

## DeLand Actel Profit and Loss January through December 1999

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Ordinary Income/Expanse income     115,553.51       Cell Prepaid     115,553.51       CellAssec     46,220.56       CellUare Protection     10,699.73       Commission income     279,027.85       Commission income     279,027.85       Contract Income     28.81       Other Income     3.324.21       Pager Income     190,867.32       Pager Protection     1.344.35       Pager Protection     1.344.25       Pager Protection     1.344.25       Pager Roles     107,703.28       Pager Roles     107,703.28       Pager Roles     6,754.53       Pager Roles     19,77,73       Reimbursed Expanses     19,77,763       Repair     2,955.56       Residual     17,997.97       Sales Tax Coll Allow     325.35       Sarvices     2,998.70       Total Income     937,229.70       Gross Profit     937,229.70       Expense     14,00       Automobile Expense     141.93       Automobile Expense     149,363.30       Cellular Expense     98,418.33       Cellular Expense     198,65.00       Computer Expense     3,196.30       Computer Expense     3,196.30       Computer Expense     3,199.79 <t< th=""><th></th><th>Jan - Dec '99</th></t<>		Jan - Dec '99
Cell Prepaid         115,553.51           CellAssec         46,220.65           CellUar Protection         10,699.73           commission income         279,027.85           Fees         1,038,75           Interest Earned         28.81           Other Income         3,24.21           Pager Income         199,867.32           Pager Roome         199,867.32           Pager Protection         1,394.35           Pager Rocess         6,754.43           Pager Alace         6,754.43           Pager Alace         99,867.32           Pager Alaces         19,577.63           Repair         2,965.56           Residual         17,997.97           Sales Tax Coll Allow         325.35           Services         2,998.70           Total Income         937,229.70           Gross Profit         937,229.70           Expense         17.01           Auto Expense         181,936.33           Cellular Expense         181,936.33           Cellular Expense         181,936.30           Cellular Expense         19,965.00           Commission         3,196.30           Computer Expense - Other         2,338.57	• •	
CellAssec         46 220.66           Cellular Protection         10,699.73           commission income         278,027.85           Fees         1,036,75           Interest Earned         28.61           Other income         3,324.21           Pager Protection         1,394,35           Pager Protection         1,394,35           Pager Scess         6,754,53           Pager adjust to income         4,974,01           refund         -1,783,78           Reimbursed Expenses         19,577,63           Repair         2,955,56           Repair         2,955,55           Repair         2,955,55           Repair         2,955,55           Repair         2,992,70           Total Income         937,229,70           Expense         17,01           Bank Services         2,3705,64           Autor Expense         17,01           Bank Service Charges         181,938,38           Cellular Expense         181,938,38           Cellular Equipment Purchase         181,938,38           Cellular Equipment Purchase         3,190,70           Computer Expense         3,190,70           Credit Card Charges		115 553 51
CellSates         128,118,29           CellUlar Protection         10,699,73           commission income         27,8027,85           Fees         1,038,75           Interest Earned         28,81           Other Income         3,324,21           Pager Income         199,867,32           Pager Income         1,394,35           Pager Protection         1,394,35           Pager Aslas         103,703,28           Pager Aslas         6,754,53           Pager Aslas         6,754,63           Pager Aslas         1,394,35           Reimbursted Expenses         19,577,63           Repair         2,955,56           Residual         17,997,97           Sales         9,92,11           SalesTax Coll Allow         322,53           Services         2,998,70           Cotal Income         937,229,70           Gross Profit         937,229,70           Bank Service Charges         941,93           Autor Expense         941,93           Automobile Expense         17,01           Bank Service Charges         941,83           Cellular Expense         984,18,33           Cellular Expense         18,986,33 <th></th> <th>-</th>		-
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Loan Interest697.52Interest Expense - Other1,987.25Total Interest Expense2,944.29late fee221.53Licenses & Permits229.50Loss Due to Fraud8,321.94Maintenance7,015.19Miscellaneous664.25Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83	•	
Interest Expense - Other1,987.25Total Interest Expense2,944.29late fee221.53Licenses & Permits229.50Loss Due to Fraud8,321.94Maintenance7,015.19Miscellaneous664.25Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83	• •	
Total Interest Expense2,944.29late fee221.53Licenses & Permits229.50Loss Due to Fraud8,321.94Maintenance7,015.19Miscellaneous664.25Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83		
late fee221.53Licenses & Permits229.50Loss Due to Fraud8,321.94Maintenance7,015.19Miscellaneous664.25Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83	Interest Expense - Other	1,987.25
Licenses & Permits229.50Loss Due to Fraud8,321.94Maintenance7,015.19Miscellaneous664.25Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83	Total Interest Expense	2,944.29
Loss Due to Fraud8,321.94Maintenance7,015.19Miscellaneous664.25Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83	late fee	
Maintenance7,015.19Miscellaneous664.25Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83	Licenses & Permits	
Miscellaneous664.25Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83	Loss Due to Fraud	8,321.94
Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83		7,015.19
Office Supplies13,407.58Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83		664.25
Pager Accessories4,037.14Pager Expense65,642.67Pager Purchase52,978.11Pager Repair6,855.83		13,407.58
Pager Expense         65,642.67           Pager Purchase         52,978.11           Pager Repair         6,855.83		
Pager Purchase52,978.11Pager Repair6,855.83		
Pager Repair 6,855.83		
		6,855.83
	Payroll Expenses	

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## **DeLand Actel Profit and Loss** January through December 1999

	Jan - Dec '99
Bonuses	600.00
Gross Wages	245,670.84
Total Payroll Expenses	246,270.84
Payroli Taxes	45 530 04
FICA	15,578.81
FUTA	7,662.21 3,643.46
Medicare SUI	120.88
Total Payroli Taxes	27,005.36
-	6,168,36
Postage and Delivery Printing and Reproduction	6,682.94
Prior year adjust to exp	2,194.61
Professional Development Professional Fees	332.27
Accounting	800.00
Legal Fees	650.00
Professional Fees - Other	215.00
Total Professional Fees	1,665.00
Promotional expenses	999.37
Rent Repairs	17,229.50
Computer Repairs	2,882.42
Equipment Repairs	448.00
Total Repairs	3,330.42
Security	647.01
Signs & Displays	1,956.20
Subcontract Labor Taxes	370.00
Property	423.93
Total Taxes	423.93
Telephone Travel & Ent	17,505.50
Entertainment	634.83
Travel & Ent - Other	1,056.96
Total Travel & Ent	1,691.79
Uncategorized Expenses Utilities	0.00
Gas and Electric	5,610.77
Water	270.54
Utilities - Other	1,176.73
Total Utilities	7,058.04
Total Expense	853,449.69
Net Ordinary Income	83,780.01
Net Income	83,780.01

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### **DeLand Actel Balance Sheet** As of December 31, 1999

	Dec 31, '99
ASSETS	
Current Assets Checking/Savings	
Checking-First Community	33,474.57
Petty Cash	403.00
Savings-First Community	49.52
Total Checking/Savings	33,927.09
Accounts Receivable Accounts Receivable	37,132.62
Total Accounts Receivable	37,132.62
Other Current Assets Inventory Asset	20,358.34
<b>Total Other Current Assets</b>	20,358.34
Total Current Assets	91,418.05
Fixed Assets Fixed Assets	40,975.92
Total Fixed Assets	40,975.92
TOTAL ASSETS	132,393.97
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable Accounts Payable	33,270.42
Total Accounts Payable	33,270.42
Credit Cards	55,215.42
Credit Card	459.09
Total Credit Cards	459.09
Other Current Liabilities Payroll Liabilities	000.00
Federal Withholding FICA	236.00
Company	159.78
Employee	159.78
Total FICA	319.56
Medicare	
Company Employee	37.76 37.76
Total Medicare	75.52
Total Payroll Liabilities	631.08
Prior Year adi-liabilities	617.29
Sales Tax Payable	4,138.43
<b>Total Other Current Liabilities</b>	5,386.80
<b>Total Current Liabilities</b>	39,116.31
Long Term Liabilities	
Loan Payable 1st Community	22,836.56
Total Loan Payable	22,836.56
Total Long Term Liabilities	22,836.56
Total Liabilities	
	61,952.87
Equity Draw	

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# **DeLand Actel Balance Sheet** As of December 31, 1999

	Dec 31, '99
TEA Draw	-244,644.56
Total Draw	-244,644.56
Opening Bal Equity	2,141.73
Retained Earnings	230,573.73
Net Income	83,780.01
Utility Deposits for Service	-1,409.81
Total Equity	70,441.10
TOTAL LIABILITIES & EQUITY	132,393.97

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# BELLSOUTH Mobility<sup>\*</sup>

1027 N. Woodland Blvd. Deland, FL 32720 904-734-0057 fax 904-822-4775 2422 S. Ridgewood Ave. S. Daytona, FL 32119 904-322-1911 fax 904-322-2457

03/23/00

Florida Public Service Commission Division of Records and Reporting 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 D 2 6 0 2 MAR 2 8 2000 000366 - TX

Dear Sirs;

Please accept my application for authority to provide alternative local exchange service within the state of Florida.

I have included the original application along with 6 copies as per your instructions, as well as a check for \$250.00 for the non-refundable application fee.

Please contact me if you have any questions or need any additional information. Our company has been in the telecommunications business in this area since 1991 and we are well positioned to offer this type service to our existing customers along

	DELAND ACTEL 1027 N. WOODLAND BLVD. DELAND, FL 32720 PH: (904) 734-0057		FIRST COMMUNITY BANK ORANGE CITY, FL 32763 63-1280/631 - 002	7837
				03/23/2000
95 	PAY TO THE ORDER OF florida Public Service Commission			\$ **250,00
	Two Hundred Fifty and 00/100************	******	****	****
	Elorida Public Service Commission			DOLLARS Security features included. Details on back.
		DOCUMENT NUMBER -DAY		
	MEMO_ApplicATION For CLEC	03807 MAR 27 8	Comar	PM. M
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