Lance J.M. Steinhart, P.C.

Attorney At Law 1720 Windward Concourse Suite 250 Alpharetta, Georgia 30005

Also Admitted in New York and Maryland

5/8

Telephone: (770) 232-9200

Facsimile: (770) 232-9208

Email: lsteinhart@telecomcounsel.com

September 17, 2003

VIA OVERNIGHT DELIVERY

Florida Public Service Commission Division of Records and Reporting 2540 Shumard Oak Blvd. Gunter Bldg. Tallahassee, Florida 32399-0850 (850) 413-6770

Re: Sail Networks Inc.

To Whom It May Concern:

Enclosed please find one original and six (6) copies of Sail Networks Inc.'s (Sail Networks) Application for Authority to Provide Local Exchange Telecommunications Service Within the State of Florida.

I also have enclosed a check in the amount of \$250.00 payable to the Florida Public Service Commission to cover the cost of filing these documents.

Please return a stamped copy of the extra copy of this letter in the enclosed preaddressed prepaid envelope.

If you have any questions regarding this matter, please do not hesitate to call me. Thank you for your attention to this matter.

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Sincerely,

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

lpitials of person who forwarded check:

Lance J.M. Steinhart, Esq.

Attorney for Sail Networks Inc

Enclosures

cc: Thomas A. Kowalewski

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FPSC-COMMISSION CLERK

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** FLORIDA PUBLIC SERVICE COMMISSION **

DIVISION OF REGULATORY OVERSIGHT CERTIFICATION SECTION

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 Page 12).

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 Regulatory Oversight Certification Section 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 (850) 413-6480

APPLICATION

Original certificate (n	ew company).	
		ificate: Example, a non-certificated any and desires to retain the original
	n existing compa	certificate: <u>Example</u> , a certificated any and desires to retain the certificat
		mple, a company purchases 51% of a on must approve the new controlling
of company:		
Networks Inc.		
		usiness (fictitious name, etc.): name & number, post office box, ci
zip code):	•	, ,
Barnwell Road		
ZID	•	,

5.	Florida address (including street name & number, post office box, city, state, zip code):			
	None			
	6. Structure of organization:			
	 () Individual () Corporation () Foreign Corporation () General Partnership () Limited Partnership () Other 			
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: F03000004579			
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:			
11.	<u>If a limited liability partnership</u> , provide proof of registration to operate in Florida:			
	(a) The Florida Secretary of State registration number:			
12.	<u>If a partnership</u> , 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): 51-0401301			

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. <u>Provide explanation.</u>
Мо
(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.
No
Who will serve as liaison to the Commission with regard to the following? (a) The application:
Name: Lance J.M. Steinhart
Title: Regulatory Counsel
Address: 1720 Windward Concourse
City/State/Zip: Alpharetta, Georgia 30005
Telephone No.: (770) 232-9200 Fax No.: (770) 232-9208 Internet E-Mail Address: lsteinhart@telecomcounsel.com
Internet Website Address:

15.

16.

(b) Official point of contact for the origon	<u>iid obetations</u>	or the company.
Name: Thomas Kowalewski		
Title: Chairman		
Address: 9065 Barnwell Road		
City/State/Zip: Alpharetta	GA	30022
City/State/Zip: Alpharetta Telephone No.: 770-650-5858	Fax No.:7	70-650-5858
Internet E-Mail Address: admin@sailnetv Internet Website Address: www.sailnetw	works.com	
(c) Complaints/Inquiries from customers	<u>):</u>	
Name: Frank Betancourt		
Title: President		
Address: 9065 Barnwell Road		
City/State/Zip: Alpharetta	GA	30022
Telephone No.: 770-650-5858 Fax	No.: 770-650	-5858
Internet E-Mail Address: fb@sailnetworks Internet Website Address: www.sailnetwo	s.com	
internet Website Address. www.sarrinetwo	TKS.COM	
List the states in which the applicant:		
(a) has operated as an alternative local	exchange con	npany.
None		
(b) has applications pending to be certific company.	cated as an a	Iternative local exchange
(c) is certificated to operate as an altern	ative local exc	change company.

17.

(d)	has been denied authority to operate as an alternative local exchange company and the circumstances involved.
Non	le .
(e)	has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.
Nor	ne .
(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. Managerial capability: give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

 See Attached biographical information.
- B. 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 Attached biographical information. In addition, the company will rely upon its underlying facilities-based carriers for technical maintenance.

C. 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 <u>correct</u> 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. <u>written explanation</u> that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
- 2. <u>written explanation</u> that the applicant has sufficient financial capability to maintain the requested service.
- 3. <u>written explanation</u> that the applicant has sufficient financial capability to meet its lease or ownership obligations.

THIS PAGE MUST BE COMPLETED AND SIGNED

APPLICANT ACKNOWLEDGMENT STATEMENT

- 1. **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.

Candia L. Kowoleuski Print Name		Signature		
Title		Date		
770-650-58	58	770-650~5858		
Telephone No.		Fax No.		
Address:	9065 Barnwell Road			
Address:	9065 Barnwell Road Alpharetta	GA	30022	
Address:		GA	30022	

THIS PAGE MUST BE COMPLETED AND SIGNED

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."

Print Name		<u> ろ(り)み)がう</u> Signature		
	Date			
58	770-650-5858	770-650-5858		
No.	Fax No.	Fax No.		
9065 Barnwell Road Alpharetta	GA	30022		
	9065 Barnwell Road	Date 770-650-5858 No. Fax No. 9065 Barnwell Road		

LIST OF ATTACHMENTS

FINANCIAL INFORMATION

MANAGEMENT INFORMATION

STATEMENT OF FINANCIAL CAPABILITY

FINANCIAL INFORMATION

MANAGEMENT INFORMATION

Candice L. Kowalewski

Work experience

October 2001, Sail NetWorks, inc.

Chief Executive Officer

I have established myself, with this company as its visionary. My skill and prowess in the management and control of people, has allowed me consult and work with our entire executive staff, in the advancement of our Business Plan.

October 1977, Delta Airlines, Atlanta, GA

Flight Attendant

 Senior International Flight attendant. In charge, of multitudes of individuals, their safety and control.

Real Estate Agent

Licensed real estate agent, 1980.

Education

June, 1974 - August 1977, Western Kentucky University

Bachelor of Science

Real Estate Training

References

- Mr. Timothy Christian, Vice President J.A. Jones Construction, 770 795 7391
- Mr. Harland LaVingne President & CEO Lancope, 770 225 6500
- Mr. David Johnson, President Recognition Strategies, Inc., 770 740 1898

Interests and activities

Tennis, swimming and most other outdoor activities.

9065 Barnwell Road Alpharetta, GA 30022 Phone 770 650 5858 Fax 770 650 5858 E-mail tkowalewski@sailnetworks.com

Thomas A. Kowalewski

Education

August 1965 – June 1969, State University of NY of Buffalo

Bachelor of Science, Business Administration

Graduated Cum Laude

Approved Georgia Real Estate Broker & Firm

- 1978 Real Estate Agent
- 1981 Real Estate Broker

Professional experience

July 2000, Sail NetWorks, inc., Founder

Chairman

I am currently the silent partner within the organization. My initial focus and goal was to begin a communications company. The company has grown as a Women and Minority Enterprise. Our goal is to advance new communications connectivity transport.

Jan 1993, Fibrebond Corporation, Regional Sales Manager Southeastern regional manager for a small communications manufacturing firm.

August 1990 – August 1993, International Systems
Vice President of Sales
Precast Concrete modular manufacturer for the telecommunications industry, and corrections.

References

Mr. Steve Johnson, CPA Stephen M. Johnson, P.C. 404 250 9611

Ms. Barbara Higginbotham, Vice President Bank of America, 770 594 6840

Mr. John Tsambasis, Systems Sales Engineer Symmetricom, 919 319 3933

Mr. Bob Klein, Senior Account Executive Littlefeet, Inc. 817 800 5702

Interests and activities

An outdoor enthusiast, running (one marathon, numerous 10K's), certified diver, health and fitness.

FRANK X. BETANCOURT

1051 Kelvington Way Lilburn, GA 30047 770-979-0812 Home 678-427-4561 Cell

E-mail telecomwiz@mindspring.com

SENIOR TELECOMMUNICATIONS SYSTEMS MANAGEMENT

Domestic & International /Project Management/Operations/Business Development/Network Administration (Cellular Systems, Fiber Optics, CO Switching, Microwave networks, T1/Transport) / Technical Support / Account Management

High energy individual, with an extensive and diversified background in the Telecommunications Field Bilingual in English and Spanish with fluency in both written and spoken technical communications. Member of management team for multi-million dollar projects through all stages of global Communications, Corporations including Lucent Technologies, TRW Vidar, NEC, Verizon Wireless, AT&T Wireless, Bechtel, Nokia, MCI, Harris Farinon and Wireless Facilities Inc. (WFI) among others.

Solid Technical and Managerial background in the installation, construction, Testing and support of Cellular Communications Networks, including Satellite, Central Office Digital Switching Systems, T1/ Transport Engineering and Provisioning, Microwave, and Fiber Optics Systems.

Strong track record of success in business development, contract negotiation, and revenue growth, utilizing well-developed network of decision-makers in leading telecommunications companies worldwide.

Excellent communication abilities with team members and years of work experience implementing customer Relations skills.

PROFESSIONAL EXPERIENCE

Sail NetWorks, Inc.

President and Chief Operations Officer

Present

Oversee all Company activities with Senior Staff. Promote coordination of new Services and Implementation Resources. Review new marketing strategies and growth potential in the new technologies arena, maintaining extreme focus on Company guide lines and direction.

Advocate of team work environment for employees and Company Customers. Completed, fulfilled, and finalized all projects under budget and on expected time lines.

FRANK XAVIER BETANCOURT Page Two Professional Experience (continued)

WIRELESS FACILITIES INC. Reston, Virginia

1997 to April 2002

Project Manager/Senior Consultant.

Personally responsible for overall project budget, project budgets averaging \$10,000,000. Excel in the completion of all project milestones.

Have met all time lines and maintained solid profitable margins. In charge of Customer interface and Construction project management.

Overall responsibilities and duties:

- Manage network deployment for major carriers
- Lead a multidiscipline of teams to successful project completion; Project teams can include RF Engineering, Site
- Acquisition, Construction and management of Installation personnel.
- Coordinate initial project set-up and work plans for each phase of the project
- Develop budget and staffing plan
- Direct activities of project staff to outline work plan and coordinate assigned duties, responsibilities and schedule to ensure project progresses on schedule and within the prescribed budget.
- Work within a budget and maintain team flexibility and cohesiveness in response to aggressive time schedules within a fast paced, potentially changing environment.
- Develop and monitor timelines coordinating the broad scope of activities representing RF Engineering, Network Engineering, Site Acquisition, and Construction Management
- Aggressively drive schedule, providing solutions to obstacles.
- Create strong customer relations and communication including negotiations and delivery of services.
- Document and report project deliverables

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FRANK XAVIER BETANCOURT Page Three Professional Experience (continued)

AT&T (Miami and West Palm Beach, FL)

Project Manager

- Develop budget and staffing plan

- Direct activities of project staff to outline work plan and coordinate assigned duties, responsibilities and schedule to ensure project progresses on schedule and within the prescribed budget.
- Work within a budget and maintain team flexibility and cohesiveness in response to aggressive time schedules within a fast paced, potentially changing environment.
- Manage T1 installation;
- Manage T1 testing
- Lead a multidiscipline team to successful BTS installation; Project team includes BTS installers, Construction Management and Integration personnel.

Project Manager

Verizon Wireless 1900/850 MHz Deployment project for the Southeast Region. Duties include Overall Project Management, Weekly/ Monthly Reports to Customer, Management Support to Site Acquisition, Zoning and Construction Managers. Oversee and manage all aspects of the project to include, Project coordination, Architectural & Engineering Document development and leadership to 48 Construction and Field office personnel.

Construction Project Manager, A&E Manager, Columbia MD

Construction Project Manager, overseeing project architectural and engineering documentation development, Baltimore GSA.

Construction Management Consultant to MetriCom Corporation, a Wireless Internet System Provider. Duties included overall Construction Project Management, supervision and support to Construction Managers, provide support to Zoning and Site Acquisition departments. Supply Company Client with Project Site information, Material requirements, Structural Studies, Site Logistics, Construction Management and overall support.

Procurement and Logistics Manager, Puerto Rico

Cellular Wireless Market for AT&T

Manage the overall construction and installation materials procurement process. Supervised materials logistics to cell site and switch locations. Develop logistics strategies for the importation of construction, installation and maintenance material shipping to the Island. Interfaced with the local customs department for the importation and cataloging of imported commodities.

In charge of the submission of US Customs reports for Tele Corp Inc. accounting department. Provided support to the construction and A&E departments. Managed two Material Warehouses for construction and installation support and cell site logistics.

FRANK XAVIER BETANCOURT Page Four Professional Experience (continued)

FB TELECOM CONSULTING, Lilburn, GA

1991 to 1997

Senior Consultant / Partner

Provided consultation and strategic direction to client companies to facilitate operational expansions and maintain competitive edge in an increasingly competitive and High Tech environment. Managed technical projects through all stages to ensure timely completion; source, quote, and secure bids; recruit, train, and schedule contract engineering and technical personnel; conduct technical surveys and needs assessments at client sites.

Design systems and manage implementation of Cellular Electronics and Digital Communications Systems/Networks throughout the US, South America, Middle East, Caribbean and Southeast Asia. Perform associated logistics, customer interface, project administration, documentation, and technical support functions. Establish and maintain contact with major telecommunications clients.

Selected Projects:

Implementation and Construction Manager for a \$500 million contract with Lucent Technologies, including the installation and testing of turn-key Cellular Communication Networks, with Microwave Radio and Fiber Optics applications. As Installation and Construction Manager/Consultant for Lucent in Borneo, East Malaysia built core of GSM network to include Cellular site construction and switching network for over 680 cell sites throughout East and West Malaysia in a three year period. Conducted RF site surveys and equipment evaluations; coordinated logistics and supply distribution; developed high caliber manuals (Site Completion Binders) with comprehensive project data and report summaries.

Contracted as Project Manager for Telecommunications projects by Nippon Electric Corporation (NEC) throughout the US, Caribbean and Central America. Manage logistics, material deployment and installation of Microwave Radios and Fiber Optic Trunking routes providing long distance telephone services for the Puerto Rico Telco, GTE Dominican Republic Telco and Virgin Islands Telephone Company.

Construction Manager Consultant. Cellular Network \$899 million dollar project for AT&T and GTE, which involved the Construction, installation and commissioning of an AMPS Cellular Network and associated transmission systems throughout the Republic of Argentina. Project involved raw land Cell site construction, BTS electronics installation and commissioning, Microwave radio installation, antenna systems and related microwave equipment.

FRANK XAVIER BETANCOURT Page Five Professional Experience (continued)

TELEPHONE TELECOMMUNICATIONS SYSTEMS (TTS), Atlanta, GA

1987 - 1991

Vice President, Sales & Project Management

Provide leadership and direction to this start-up fiber optics and telecommunications engineering firm in sales, marketing, account/project management, and technical support.

Recruited Installation teams and directly supervised 12 Project Managers and five Sales Engineers.

Direct the establishment of the Engineering and Service Departments for microwave and networks implementation. Conduct client evaluations and site surveys regarding LAN/WAN systems, Microwave and switching networks. Identified business and technical solutions, developed proposals, negotiated contracts, managed Design Engineering and oversaw completion of major projects within time and budget guidelines.

Securing and managing major contracts with the Puerto Rico Telephone Company, Puerto Rico Communications Authority, and the U.S. Navy. Engineered, Furnished and Installed T1/Transport and Telemetry network for MARTA (Metropolitan Atlanta Rapid Transit System) expanding revenue base to over \$20 million annually and positioning the firm as a leading provider within the US and Caribbean telecommunications market.

ALTA TELECOM, Atlanta, GA

1985 - 1987

Marketing/Sales Manager

Responsible for the development and execution of sales, marketing programs and strategies for a provider of Fiber Optics Network Engineering, Central Office Switching, and related Telecommunications Services. Established the company's first technical service department.

Lead in aggressive international sales and marketing campaign. Expanded international sales force that grew international sales by \$70 million within the first year.

Successfully recruited major projects, including a \$22 million turkey project for MCI and a \$58 million Fiber Optics installation and construction project for the City of Philadelphia (one of the first Fiber Optics ring network in the U.S.). Create a joint venture with NEC that contributed over \$30 million in total sales revenue.

NOVATEL CELLULAR SYSTEMS, Norcross, GA Subsidiary of ALBERTA GOVERNMENT TELEPHONE SYSTEMS, CANADA

1983 - 1985

System Applications and Engineering Manager

Managed Applications engineering, Pioneering Company in the development of Mobile Communications.

Supervise Transmission, Antenna and Tower systems Engineers, working closely with major manufactures such as Valmont, Andrew, Digital Corp., Lorain, Tellabs, Pirod and Rohn Towers among others.

In charge of technical presentations to customers and company showcases for USTA and others. Director of technical presentations for cellular communications networks at the Oil Producers Commission in Maracaibo, Venezuela.

FRANK XAVIER BETANCOURT Page Six Professional Experience (continued)

HARRIS DIGITAL TELECOMMUNIICATIONS, Atlanta Regional Office

1981 - 1983

Senior Transmission Engineer / Technical Support Analyst / Technical Instructor
Provide technical support in switching and transmission systems.
Engineering department team member for development of MCI's long distance network prior to Divestiture.
Installation Supervisor for \$60 million project involving the installation of a private telecommunications network for the Petroleum Development of Oman that extended throughout the Middle East country and backed up by a Fiber Optics system using NEC equipment.

Other Professional Background provided upon request.

EDUCATION AND TRAINING

Company sponsored training in TDMA, CDMA, WCDMA, IMT2000 and other 3G technology subjects.

Project Management Certification

Graduate at the University of Puerto Rico. Electrical Engineering, P.E. Curriculum.

Lucent Inc. Trained on GSM Base Station Radio Installation, Integration and Maintenance systems.

Extensive courses on Data Communications, University of Iowa at Ames.

Extensive Corporate-sponsored training in Data Communications, T1/ Transport coordination and maintenance, Microwave Radio Systems, and related communications technology subjects.

United States Air Force

Electronics/Air Navigation graduate 1st Lieutenant. Sheppard AFB Texas.

Analog/Digital Telecommunications Training

STATEMENT OF FINANCIAL CAPABILITY Sail Networks Inc.

Applicant has sufficient financial capability to provide the requested service in the State of Florida and has sufficient financial capability to maintain the requested service and to meet its lease or ownership obligations. In support of Applicant's stated financial capability, a copy of its Statement of Assets, Liabilities & Equity as of June 30, 2003 and the Statement of Revenue & Expenses for the period ended June 30, 2003 is attached to its application. The Statement of Assets, Liabilities & Equity as of June 30, 2003 and the Statement of Revenue & Expenses for the period ended June 30, 2003 demonstrates that the company has sufficient cash, and the income statement for the 6 months ended June 30, 2000 demonstrates a net profit. Applicant intends to fund the provision of service through internally generated cash flow. Applicant also has the ability to borrow funds, if required, based upon its financial capabilities, to provide service in the State of Florida.