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COMMISSION
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**** FLORIDA PUBLIC SERVICE COMMISSION ****

**DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT
CERTIFICATION**

APPLICATION FORM
for
**AUTHORITY TO PROVIDE ALTERNATIVE ACCESS VENDOR SERVICE
WITHIN THE STATE OF FLORIDA**

Instructions

- A. This form is used as an application for an original certificate and for approval of sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 13).
- B. Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. 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 the Commission Clerk and Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770**

Note: **A filing fee is required** for the sale, assignment or transfer of an existing certificate to another company (see Chapter 25-24.730, F.A.C.).

- E. If you have questions about completing the form, contact:

**Florida Public Service Commission
Division of Competitive Markets and Enforcements
Certification
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600**

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 authority rather than apply for a new certificate.

- Approval of Assignment of existing Certificate:** Example, a certificated company purchases an existing company and desires to retain the existing certificate of authority and tariff.

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

2. Name of company:

NextG Networks of NY, Inc., a Delaware corporation.

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

NextG Networks East

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

1759 South Main Street, Suite 128

Milpitas, CA 95035

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

c/o CT Corporation

1200 South Pine Island Road

Plantation, FL 33324

6. Structure of organization:

() Individual

() Corporation

() Foreign Corporation

() Foreign Partnership

() 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:**

F04000002514

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:**

G041279000004

11. **If a limited liability partnership**, please proof of registration to operate in Florida.

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

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): 51-0437800

15. Provide the following (if applicable):

(a) Will the name of your company appear on the bill for your services?
() **Yes** () **No**

(b) If not, who will bill for your services?

Name: _____

Title: _____

Address: _____

City/State/Zip: _____

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

(c) Who will the billed party contact to ask questions about the bill?

Name: _____

Telephone Number: _____

(d) How is this information provided?

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

(a) The application:

Name: Robert L. Delsman

Title: Vice President, Government Relations and Regulatory Affairs

Address: 1759 South Main Street, Suite 128

City/State/Zip: Milpitas, CA 95035

Telephone No.: 408-719-8510 **Fax No.:** 408-719-8560

Internet E-Mail Address: rdelsman@nextgnetworks.net

Internet Website Address: www.nextgnetworks.net

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

Name: Anthony Rodriguez

Title: Regulatory and Contracts Specialist

Address: 1759 South Main Street, Suite 128

City/State/Zip: Milpitas, CA 95035

Telephone No.: 408-719-8510 **Fax No.:** 408-719-8560

Internet E-Mail Address: arodriguez@nextgnetworks.net

Internet Website Address: www.nextgnetworks.net

(c) Complaints/Inquiries from customers:

Name: Anthony Rodriguez

Title: Regulatory and Contracts Specialist

Address: 1759 South Main Street, Suite 128

City/State/Zip: Milpitas, CA 95035

Telephone No.: 408-719-8510 **Fax No.:** 408-719-8560

Internet E-Mail Address: arodriguez@nextgnetworks.net

Internet Website Address: www.nextgnetworks.net

17. List the states in which the applicant:

- (a) has operated as an Alternative Access Vendor.

None

- (b) has applications pending to be certificated as an Alternative Access Vendor.

None

- (c) is certificated to operate as an Alternative Access Vendor.

None

- (d) has been denied authority to operate as an Alternative Access Vendor 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.** 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. If so, provide explanation.

None

- (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

19. The applicant will provide the following AAV services (check all that apply):

- a. () Intraexchange private line service to an affiliate.
- b. () Interexchange private line service to an affiliate.
- c. () Special access as part of a private line dedicated service.
- d. () Special access to an IXC switched network.
- e. () Private line services (Channel Services)
 - () DS-0, 64 kb/s
 - () DS-1, 1.54 Mb/s
 - () DS-2, 6.31 Mb/s
 - () DS-3, 44.76 Mb/s

THIS PAGE MUST BE COMPLETED AND SIGNED
**** APPLICANT ACKNOWLEDGEMENT 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 the gross operating revenue derived from intrastate business. Regardless of the ~~gross~~ gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.

2. **APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

3. **RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to my provision of alternative access vendor service in Florida. I also understand that it is my responsibility to comply with all current and future Commission requirements regarding AAV service.

UTILITY OFFICIAL:

Robert L. Delsman

Print Name

VP, Government Relations and Regulatory Affairs

Title

408-719-8510

Telephone No.

Address:

1759 South Main Street, Suite 128

Milpitas, CA 95035



Signature

June 18, 20004

Date

408-719-8560

Fax No.

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 access vendor 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."

OFFICIAL:

John B. Georges

Print Name

CEO

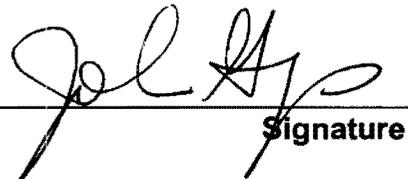
Title

408-719-8510

Telephone No.

Address: 1759 South Main Street, Suite 128

Milpitas, CA 95035



Signature

June 18, 2004

Date

408-719-8560

Fax No.

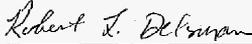
SERVICE AREA NETWORK

1. **CURRENT FLORIDA INTRASTATE SERVICES:** Applicant has () or has not (✓) previously provided intrastate telecommunications in Florida. If the answer is has, fully describe the following:

a) What services have been provided and when did these services begin?

b) If the services are not currently offered, when were they discontinued?

UTILITY OFFICIAL:

Robert L. Dalsman	
Print Name	Signature
VP. Government Relations and Regulatory Affairs	June 18, 2004
Title	Date
408-719-8510	408-719-8560
Telephone No.	Fax No.
Address: 1759 South Main Street, Suite 128	
Milpitas, CA 95035	

CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT

I, (Name) _____,

(Title) _____ of

(Name of Company) _____

and current holder of certificate number _____, have

reviewed this application and join in the petitioner's

request for a () sale, () transfer () or assignment of the above-mentioned certificate.

UTILITY OFFICIAL:

Print Name

Signature

Title

Date

Telephone No.

Fax No.

Address: _____

