



ORIGINAL

DISTRIBUTION CENTER

VIA OVERNIGHT UPS

07 AUG -6 AM 10: 15

070555-TX

August 3, 2007

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

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

Initials of person who forwarded check  
*[Handwritten Signature]*

**Re:** Petition of RNK Communications Inc. for Transfer of Certificate 8520.

Dear Secretary:

Enclosed please find an original and two (2) copies of the application of RNK Communications Inc., a Massachusetts corporation (RNK, Inc.) with Authority to Do Business in the State of Florida, to transfer Certificate No. 8520 together with the following Exhibits:

- \$400.00 Application Fee
- Exhibit A.1: A copy of RNK Communications' certificate of authority to do business in Florida issued by the Secretary of State
- Exhibit A.2(a) and (b): containing resumes of Management Personnel and Technical Personnel
- Exhibit A.2(c): containing audited financial statements for the most recent 3 years
- RNK Communications' Motion for Protective Order regarding its responses contained in Exhibit A.2(c).

RNK Communications contemporaneously files a Motion for Protective Order as provided in Rule 25-22-006(5)(a) of the Commission's rules, requesting confidential treatment of the information contained in a sealed manila envelope labeled "Exhibit A.2.(c) Confidential." This Exhibit contains sensitive financial information which RNK Communications considers proprietary and confidential. Disclosure of the confidential information contained in Exhibit 4 could adversely effect RNK Communications' business affairs and give competitors an unfair advantage. RNK Communications respectfully requests that its financial statements be viewed by Commission staff only in the discharging of its duties, and not be released to the public, consistent with RNK Communications' Motion, if granted.

- CMP   1
- COM
- CTR
- ECR
- GCL   1
- OPC
- RCA
- SCR
- SGA
- SEC
- OTH   Chk.

*1 conf records*

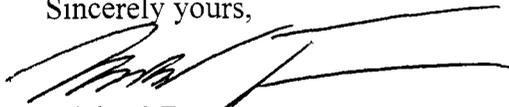
RECEIVED-FPSC  
07 AUG -6 AM 10: 54  
COMMISSION CLERK

DOCUMENT NUMBER-DATE

06747 AUG-6 5

Please stamp and return in the self addressed postage paid envelope included the sheets marked "copy" of this transmittal letter and the Motion for Confidential Treatment of Financial Information. If you need more information, please contact me at your earliest opportunity.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael Tenore", written over a horizontal line.

Michael Tenore  
Assistant General Counsel  
Phone: (781) 613-6119  
Fax: (781) 297-9836  
Email: mtenore@rnktel.com

Enclosures

**FLORIDA PUBLIC SERVICE COMMISSION**  
**DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT**  
**APPLICATION FORM**  
**for**  
**AUTHORITY TO PROVIDE COMPETITIVE LOCAL EXCHANGE**  
**TELECOMMUNICATIONS COMPANY 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 8).
- B. Print or type all responses to each item requested in the application. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of **\$400.00** to:

**Florida Public Service Commission**  
**Division of the Commission Clerk and Administrative Services**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6770**

- E. A filing fee of **\$400.00** is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.815, F.A.C.).
- F. If you have questions about completing the form, contact:

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

1. 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 of 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.

2. Name of company: RNK, Inc.

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

RNK Communications

4. Official mailing address:

Street/Post Office Box: 333 Elm Street, Suite 310  
City: Dedham  
State: MA  
Zip: 02026

5. Florida address:

Street/Post Office Box: 155 OFFICE PLAZA DR., SUITE A  
City: TALLAHASSEE  
State: FL  
Zip: 32301

6. Structure of organization:

Individual  
 Foreign Corporation  
 General Partnership  
 Other,

Corporation  
 Foreign Partnership  
 Limited Partnership

7. **If individual**, provide:

Name: N/A  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

8. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is: N/A

9. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is: F07000003873

10. **If using fictitious name (d/b/a)**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida. The Florida Secretary of State fictitious name registration number is: N/A

11. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is: N/A

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

Name: N/A  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. The Florida registration number is: N/A

14. Provide **F.E.I. Number**(if applicable): 04-3149565

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

(a) The application:

Name: Michael S. Tenore  
Title: Assistant General Counsel  
Street name & number: 333 Elm Street, Suite 310  
Post office box:  
City: Dedham  
State: MA  
Zip: 02026  
Telephone No.: 781-613-6119  
Fax No.: 781-297-9836  
E-Mail Address: mtenore@rnktel.com  
Website Address: www.rnkcom.com

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

Name: Douglas Denny-Brown  
Title: general Counsel  
Street name & number: 333 Elm Street, Suite 310  
Post office box:  
City: Dedham  
State: MA  
Zip: 02026  
Telephone No.: 781-613-6103  
Fax No.: 781-297-9836  
E-Mail Address: dougdb@rnktel.com  
Website Address: www.rnktel.com

(c) Complaints/Inquiries from customers:

Name: Jim Palmisano  
Title: Vice President Operations  
Street/Post Office Box: 333 Elm Street, Suite 310  
City: Dedham  
State: MA  
Zip: 02026  
Telephone No.: 781-613-6250  
Fax No.: 781-297-9836  
E-Mail Address: jpalmisano@rnktel.com  
Website Address: www.rnktel.com

16. List the states in which the applicant:

(a) has operated as a Competitive Local Exchange Telecommunications Company.

N/A

(b) has applications pending to be certificated as a Competitive Local Exchange Telecommunications Company.

Pennsylvania (provisional authority approved)

(c) is certificated to operate as a Competitive Local Exchange Telecommunications Company.

Massachusetts, Rhode Island, New Hampshire, New York, Maryland, Washington, D.C. and New Jersey

(d) has been denied authority to operate as a Competitive Local Exchange Telecommunications Company and the circumstances involved.

N/A

(e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

N/A

(f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

Manhattan Telecommunications Corp., d/b/a Metropolitan Telecommunicatins, a/k/a MetTel v. RNK, Inc., Civil Case Docket No. 06-CV-1389 (2-21-06) (SDNY). Dispute as to purported unpaid access charges on the part of RNK filed in United States District Court for the Southern District of New York. Plaintiff alleged that RNK had failed to pay interstate access charges in New York amounting to 11,000 dollars. RNK denied these claims as the amounts were in dispute. The parties settled before any answer or reposive pleadings were due. Case dismissed with prejudice via mutual motion on 4-5-06.

17. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously 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. If so, provide explanation.

N/A

(b) granted or denied a competitive local exchange certificate in the State of Florida (this includes active and canceled competitive local exchange certificates). If yes, provide explanation and list the certificate holder and certificate number.

N/A

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

RNK Telecom, Inc. (Certificate No: is a wholly owned and operated subsidiary of RNK, Inc. d/b/a RNK Communications. All officers are the same and all shareholders are the same. RNK Communications seeks to have this certificate transferred to RNK Communications by this document. RNK Communications is the sole shareholder of RNK Telecom, Inc. stock.

18. Submit the following:

(a) Managerial capability: resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

(b) Technical capability: resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

(c) Financial Capability: applicant's audited financial statements for the most recent three (3) years. If the applicant does not have audited financial statements, it shall so be stated. 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.

**THIS PAGE MUST BE COMPLETED AND SIGNED**

**REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

**RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of competitive local exchange telecommunications company (CLEC) service in Florida.

**APPLICANT ACKNOWLEDGEMENT:** 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 competitive local exchange 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 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.**"

Company Owner or Officer

Print Name: Richard N. Koch  
Title: President  
Telephone No.: 781-613-6100  
E-Mail Address: rich@rnktel.com

Signature: Richard N. Koch

Date: 8/3/07

**CERTIFICATE SALE, TRANSFER,**  
**OR**  
**ASSIGNMENT STATEMENT**

As current holder of Florida Public Service Commission Certificate Number 8520, I have reviewed this application and join in the petitioner's request for a

sale

transfer

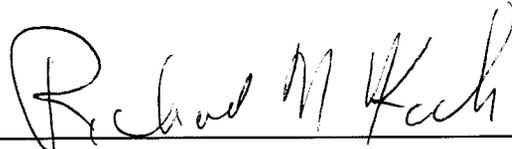
assignment

of the certificate.

**Company Owner or Officer**

Print Name: Richard N. Koch  
Title: President  
Street/Post Office Box: 333 Elm Street, Suite 310  
City: Dedham  
State: MA  
Zip: 02026  
Telephone No.: 781-613-6100  
Fax No.: 781-297-9836  
E-Mail Address: rich@rnktel.com

Signature: \_\_\_\_\_



Date: 8/3/07

## EXHIBIT A

**1. Response to Question 9:**

Please see attached Certificate of Good Standing for RNK Communications, Inc. issued by the Florida Secretary of State.

## **2. Response to Question 18:**

### **(a) Managerial Capacity:**

#### **Richard Koch, President and CEO, RNK Communications**

Richard Koch co-founded RNK Communications in 1997, and currently serves as the company's president and chief executive officer. In this role, Koch oversees IT, Engineering, Sales, and Regulatory functions while being closely involved in the financial and legal aspects of the company. During his tenure, Koch established RNK as one of the most successful Competitive Local Exchange Carriers (CLECs) in the United States.

Koch is a telecommunications industry expert and veteran, with over 25 years professional experience, serving in key leadership roles for many telephony-focused companies throughout his career. Prior to starting RNK, Koch served as President of Privacall, a division of Cycomm Corporation that provided voice scramblers and switched calling services to ensure privacy on cell phones. Before joining the Privacall division, Koch was president of Untraceable Phone Calls telecommunications service, and Safe Call, a joint venture between Shared Technologies and Cycomm Corporation. Before the internet revolution, Koch led the innovative videotext company, Boston CitiNet as president. Boston CitiNet expanded to a national franchise as American CitiNet and Applied Videotex Services providing private services to clients such as NYNEX, Bell Atlantic and US West.

Koch spent nearly 10 years as a science and chemistry teacher in the Boston Public School System prior to his career in telecommunications. Koch has a B.A. in Chemistry from Boston University, and earned a M.S. in Education from Boston State College.

#### **Joy Tessier, Executive Vice President**

Joy Tessier co-founded RNK Communications in 1997, and currently serves as Executive Vice President. Tessier's responsibilities include overseeing the company's network and provisioning operations, in addition to RNK's Customer Service, Marketing, and Human Resources functions. She shares management of the company's financial and legal groups, with co-founder and CEO Richard Koch. Together, Tessier and Koch have grown RNK to become one of the most successful Competitive Local Exchange Carriers (CLECs) in the United States, each year increasing RNK's market share.

Prior to RNK, Tessier was Director of Operations at Metracom Communications, a local and long distance reseller based in Boston. Tessier also served as Manager of Major Accounts at Cycomm Corporation/Shared Technologies, which focused on developing security devices for cell phones. Previously, Tessier was Assistant Director of Continuing Education at the Presbyterian School of Christian Education. Tessier earned a B.S. in Business Administration from Bryant College.

#### **Douglas Denny-Brown, General Counsel/Vice President Regulatory Affairs**

Douglas Denny-Brown joined RNK Communications in 1999 as the company's general counsel and vice president of Regulatory Affairs. Denny-Brown was responsible for creating the Legal and Regulatory Department at RNK, where he now ensures state and federal legal and regulatory compliance in states where RNK offers services or products with his staff. Denny-Brown also oversees RNK's day-to-day corporate, commercial, intercarrier and legal affairs, and advises RNK executives on policy matters. Before joining RNK, Denny-Brown was employed for nine years at the Massachusetts Department of Telecommunications and Energy as a senior analyst within the Telecommunications Division, and as a hearing officer within the Legal Division. Since January 2003, Denny-Brown has been co-chair of the New England Chapter of the Federal Communications Bar Association. In that capacity, he has organized and moderated panel events involving senior government and industry leaders speaking on cutting edge telecommunications issues. Denny-Brown has a B.A. from Clark University and earned a J.D. from New England School of Law.

#### **Sanford McMurtry, Vice President Strategic Initiatives**

Sanford McMurtry joined RNK in 2006 as the Vice President of Strategic Initiatives. McMurtry's primary responsibilities are to provide leadership, planning, and the strategic vision to ensure that RNK develops and implements strategies for corporate growth, financial strength, organizational development,

organizational performance, and long-term operating efficiency. McMurtry joined RNK after a 21 year career with Verizon, where he served as a Director within Verizon's Telecom Finance organization. McMurtry excelled throughout his career at Verizon, holding key leadership roles within Verizon's Operator Services, Human Resources, Network Services, and Wholesale Markets departments. McMurtry has a B.A in Psychology from The College of the Holy Cross, and earned an M.B.A. from Suffolk University.

**John Skinner, Vice President Finance**

John has been with RNK since 2000, and currently oversees all financial operations for the company including treasury, accounting, billing, budget, tax, revenue assurance, internal audit, and pricing. John is a nationally recognized industry expert in the fields of revenue assurance and risk management, and brings more than a decade of varied financial and accounting experience from start-up and Fortune 100 companies. John holds a BBA from North Carolina State University and an MBA from Western Carolina University.

**Glenn Pokraka, Controller**

Glenn Pokraka joined RNK in 1998 to implement a new billing system for resale customers. His responsibilities have grown to supervising a staff of four who are responsible for accounts receivable, accounts payable, payroll, monthly closing and administering RNK's cash flow. Glenn brings over twenty years experience with accounting systems and procedures with commercial and financial institutions. Prior to joining RNK, Glenn was the Controller for Ken's Steakhouse. Glenn earned a B.S. in Business Administration from Bryant College.

**Steve Freddo, Director of Billing**

Steve Freddo joined RNK as the company's Director of Billing in 2006. Freddo is responsible for managing RNK's customer billing operations and related processes. Prior to joining RNK, Freddo built a 20 year career working with GTE and most recently, Verizon. Freddo held various positions at Verizon, most recently serving as *Director of Billing, Collections and Customer Care*. Throughout his career, Freddo has held numerous leadership roles within the Information Technology, Finance, and Billing Organizations. Additionally, Freddo spent more than 5 years on international assignments in both the Dominican Republic and Venezuela, where he led multi-cultural teams through major international systems implementations. Freddo has a B.S. in Business Administration from The State University of New York at Geneseo, and earned an M.B.A. in International Finance from the University of South Florida.

**(b) Technical Capacity:**

**Jim Palmisano, Vice President, Customer Support and Network Surveillance**

Jim joined RNK as Vice President of Customer Support and Network Surveillance, and brings a solid background in customer support management. Jim's expansive leadership experience, technical knowledge, creative ideas, and strong people skills make him a perfect match for RNK's rapid growth and world class innovations. At RNK he has been working hard to mold Customer Support into a "Best in Class" operation that focuses on individual customer needs with the personalized attention each deserves. Jim's vast experience developing support programs that deliver high levels of customer satisfaction have helped him to become an innovator in the Customer Support field. Prior to RNK, Jim served for ten years in leadership roles in companies like General Electric, Bank of America, and most recently Comcast. His most recent accomplishments include developing the nationally recognized eSupport System used by Comcast - New England. Jim's outside role as a Red Cross crisis volunteer, and his enjoyment of cross-cultural travel, help keep him grounded in the needs of real people. Palmisano has a B.S. from Northeastern University, and earned his MBA from University of Phoenix.

**Neal Hart, Vice President Technical Operations**

Neal Hart joined RNK Communications in 1998 and currently serves as vice president Technical Operations. In this role, Hart is responsible for internal technical functionality, including RNK's IT department, internal mechanization of work flows, web interface for VoIP customers and wholesale providers, and all hardware selection used in the provision of RNK services. Hart has more than 40 years experience in the telecommunications industry. Prior to joining RNK, Hart helped form Teleport St. Petersburg where he was responsible for managing the implementation and initial operations of the \$8 million American/Russian joint venture. Hart also held multiple senior-level positions at AT&T, including

project director, Real Estate Management. In that role, he helped reduce real estate expenses by consolidating multi-location technical support practices and business systems into a single operation. Hart held several management positions at Bell System Headquarters, including district manager, Methods and Procedures. Additionally, Hart spent more than 10 years in operations management positions at Southwestern Bell with responsibilities for all areas of business/residence installation and maintenance. Hart has a B.S. in Electrical Engineering from the University of Arkansas.

**Diane Hoffses, Director of Facilities**

Diane Hoffses joined RNK in 2006 as the Director of Facilities. Hoffses' primary responsibilities include managing capacity forecasts, network planning, switching and implementation of network build-outs at RNK facilities to ensure RNK's network is prepared for rapid growth. Prior to joining RNK, Hoffses served as a Global Strategic Network Planner with British Telecom for 4 years, and was recognized for her key role in building out the MPLS network worldwide, in addition to the U.S. Conferencing Network. Hoffses has more than 10 years experience in the Telecom industry and has also worked for MOD TAP, the creator of the module tap, where her work focused on the physical build out of switches and collocation facilities. At ITC, a prepaid calling card company which managed the Verizon prepaid calling card program, Hoffses worked extensively with CLEC and Long Distance carriers, and in her role as a switch technician at Network Plus, she was responsible for their Long Distance and International networks, and also participated in TIA/EIA conferences and other forums on current industry standards. Hoffses has a B.A. from Pfeiffer University.

**(c) Financial Capacity:**

Please See Attached CD-ROM.

Please be advised that RNK Communications Inc. files a Motion for Protective Order, as provided in Rule 25-22-006(5)(a) of the Commission's rules, requesting confidential treatment of the information contained in a sealed manila envelope labeled "**Exhibit A.2.(c) Confidential.**"

# State of Florida



## Department of State

I certify from the records of this office that RNK INC. doing business in Florida as RNK COMMUNICATIONS INC., is a corporation organized under the laws of Massachusetts, authorized to transact business in the State of Florida, qualified on July 31, 2007.

The document number of this corporation is F07000003873.

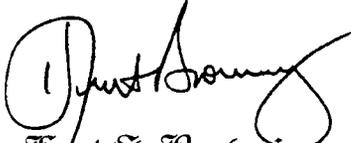
I further certify that said corporation has paid all fees due this office through December 31, 2007, and its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Second day of August, 2007



CR2EO22 (01-07)

  
Kurt S. Browning  
Secretary of State