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December 3, 2010

#### VIA OVERNIGHT DELIVERY

Beth Salak, Director Division of Competitive Markets & Enforcement Florida Public Service Commission 2540 Shumard Oak Blvd. Gunter Bldg. Tallahassee, Florida 32399-0850 (850) 413-6770

claim of confidentiality notice of intent request for confidentiality filed by OPC

For DN 09798-10, which is in locked storage. You must be cuthorized to view this DN.-CLK

RE: Teledias Communications, Inc. Docket No. 080650-TX CONFIDENTIAL TREATMENT REQUESTED

Dear Ms. Salak:

Enclosures

cc:

Janet Tripi

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ADM OPC

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Pursuant to your letter dated November 18, 2010, enclosed please find one original and two (2) copies of the data responses for Teledias Communications, Inc.

Teledias Communications, Inc. hereby requests confidential treatment for its financial information. I have enclosed one original copy and two edited copies in which the information claimed as confidential is blacked out.

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

supmitted. Respectfully

A. Steinhart, Esq. Lance/I Attorney for Teledias Communications, Inc.

DOCUMENT NUMBER-DATE

- PM

09797 DEC-72

FPSC-COMMISSION CLERK

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Sember 3, 2010 22

General Data Requests for Docket No. 080650-1A
34. Please review all TeleDias responses to staff's first data request, dated February 25, 2008, Docket No. 080650-1A
When is necessary.

35. What is TeleDias' long-term strategy as it relates to Lifeline service? Does TeleDias plan to continue offering Lifeline service to customers through resale, and through the leasing of UNE-Ps?

**RESPONSE:** TeleDias will continue to offer Lifeline service to its customers through resale of AT&T services and through its wholesale agreement with AT&T, the Company intends to order Section 251 loops commingled with Section 271 elements (UNEs) as provided by federal law. According to FCC Rules, facilities obtained as UNEs satisfy the requirement that an ETC provide the supported services using either its own facilities or a combination of its own facilities and resale of another carrier's services.

Accordingly, when it orders under the Agreement, the Company uses UNEs in its network and satisfies the requirement set forth in Section 214(e)(1)(A). The specific percentage of customers whose service will be provisioned through 251 loops obtained as UNEs has yet to be determined.

36. Is TeleDias currently in any discussions of sale or merger?

**RESPONSE:** No.

37. Does TeleDias have any future plans to invest in and own its own facilities as a means of providing service to its customers? Please explain.

**RESPONSE:** No, please see response to Question 35.

38. Staff has updated the ETC Certification Form. Please complete and sign the accompanying ETC Certification Form.

**RESPONSE:** Exhibit I - ETC Certification Form

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39. Please provide a list of any complaints filed against TeleDias during the past 6 years at the FCC or in any state which TeleDias provides service in. If the complaints were resolved, provide a description of the resolution.

**RESPONSE:** Teledias maintains records of all complaints filed with the FCC for a two years period only. This is based on the Company's understand of FCC 47 CFR § 64.1120 and 47 CFR § 42.6 and 42.9. Teledias will provide all the complaints on file, along with the descriptions of resolutions on December 6, 2010 via electronic filing.

40. Please provide TeleDias' current corporate structure listing all owned and affiliated companies.

**RESPONSE:** TeleDias is a single C corporation with no owned or affiliated companies.

41. Please provide a list of TeleDias' owners, corporate officers, and managers, and indicate if any are also owners, officers, managers, or employees of any other telecommunications companies.

### **RESPONSE:**

## Kirk S. Schumacher, President of TeleDias Carmen Asorey, Vice President of TeleDias Communications, Inc.

- Ms. Asorey is also the President of Cytel, Inc., a long distance reseller
- 42. Have any owners, officers, or managing members been involved in any bankruptcy proceedings? If so, please provide details as to who, when, and where the bankruptcy occurred.

#### **RESPONSE:** No owner or officer has been involved in any bankruptcy proceeding.

43. Have any owners, officers, or managing members been charged or convicted of a criminal offense? If so, please provide details as to who, when, and where the charges or convictions occurred.

#### **RESPONSE:** No owner or officer has been charged or convicted of a criminal offense.

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44. Have any owners, officers, or managing members been involved in any civil litigation in which a owner, officer, or managing member has been deposed or has been a plaintiff, a defendant, or a witness? If so, please provide details as to who, when, and where the civil litigation occurred.

#### **RESPONSE:** No participation in civil litigation.

45. Provide the latest financial statements for TeleDias including: Profit & Loss Statements, Balance Sheets, and the most recent Federal and State Tax Returns.

### RESPONSE: Exhibit II – Financial Statements (Filed as Confidential)

46. Please provide a list of any companies which TeleDias contracts with to provide service to Lifeline customers. List each company and what service it provides.

**RESPONSE:** TeleDias contracts only with AT&T to provide local service to Lifeline customers.

## EXHIBIT I

## **ETC Certification Form**

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#### Attachment A

#### APPLICANT CERTIFICATION

State of \_\_\_\_\_\_ County of \_\_\_\_\_\_

My	name	is	Carmen Asorey	, l	am	employed by
2			eleDias Communications, Inc.			, located at
		5	605 Riggins Ct., Ste. 265, Reno NV 89502			as its
	Vice	Pre	sident . I am an officer of the Company	and am au	ıthori	zed to provide
the	follow	ving	certifications on behalf of the Company. This c	certification	is b	eing given to
support the Eligible Telecommunications Carrier petition filed by my Company with the Florida						
•	-		Commission (PSC).			

Company hereby certifies the following:

- 1. Company will follow all Florida Statutes, Florida Administrative Rules, and Florida PSC Orders relating to Universal Service, Eligible Telecommunications Carriers, and the Florida Link-Up and Lifeline Program.
- 2. Company will follow all FCC rules, FCC Orders, and regulations contained in the Telecommunications Act of 1996 regarding Universal Service, ETCs, Link-Up and Lifeline, and toll limitation service.
- 3. Company agrees that the Florida PSC may revoke a carrier's ETC designation for good cause after notice and opportunity for hearing, for violations of any applicable Florida Statutes, Florida Administrative Rules, Florida PSC Orders, failure to fulfill requirements of Sections 214 or 254 of the Telecommunications Act of 1996, or if the PSC determines that it is no longer in the public interest for the company to retain ETC designation.
- 4. Company understands that if its petition for ETC designation is approved, it will be for limited ETC designation to provide landline-only Link-Up, Lifeline, and toll-limitation service, and the Company will be eligible only to receive low-income support from the Universal Service Fund.
- 5. Company understands that if its petition for ETC designation is found to be in the public interest and approved by the PSC, it is based upon the information provided to the PSC in its petition. If there is a future change of company ownership, the company understands that the new owners must file a petition with the PSC prior to the change of ownership and make a showing of public interest to maintain the ETC designation.

- 6. Company understands that it may only receive reimbursement from the Universal Service Administrative company (USAC) for active customer Link-Up and Lifeline access lines which are provided using its own facilities or a combination of its own facilities and access lines obtained as wholesale local platform lines (formerly UNE lines) from another carrier. The Company shall not apply to USAC for reimbursement of any Link-Up and Lifeline access lines obtained from an underlying carrier which already receive a Lifeline and/or Link-Up credit provided by the underlying carrier.
- 7. Company understands that the PSC shall have access to all books of account, records and property of all eligible telecommunications carriers.
- 8. Company understands that low income support reimbursed by USAC for toll limitation service is available only for the incremental costs that are associated exclusively with toll limitation service.
- Company agrees that upon request, it will submit to the PSC a copy of Form 497 forms filed with USAC to: Florida Public Service Commission Division of Regulatory Analysis, Market Practices Section 2540 Shumard Oak Drive Tallahassee, Florida 32399-0850
- 10. Company understands that in accordance with the Florida Lifeline program, eligible customers will receive a \$13.50 monthly discount on their phone bills, \$3.50 of which is provided by the ETC, and \$10.00 of which is reimbursable from the Federal Universal Service Fund.

I am aware that pursuant to Section 837.06, F.S., whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Signature

Carmen Asorey Printed Name 11/30/2010

Date

**Business Address:** 5605 Riggins Ct., Ste. 265 Reno NV 89502

## **EXHIBIT II**

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Financial Statements (Filed as Confidential)

REDATED

FPSC-COMMISSION CLERK

Form **1120** Department of the Treasury Internal Revenue Service

# U.S. Corporation Income Tax Return

For calendar year 2009 or tax year beginning \_\_\_\_\_\_, ending \_\_\_\_\_\_, ending \_\_\_\_\_\_\_.

OMB No. 1545-0123



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TeleDias Communications, Inc. Balance Sheet As of December 31, 2009

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State of Florida



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CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-0850

Lance Steinhart 1720 Windward Concourse Suite 115 Alpharetta GA 30005

Re: Acknowledgement of Confidential Filing in Docket No. 080650-TX

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a CONFIDENTIAL DOCUMENT filed on December 7, 2010, in the above-referenced docket.

Document Number 09798-10 has been assigned to this filing, which will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.