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September 18, 2012
Via Overnight Delivery

COMMISSION
CLERK

OFFICE OF
TELECOMMUNICATIONS

Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

120236-TX

RE: O1 Communications East, LLC
Application for Authority to Provide Competitive Local Exchange Services within the State of Florida

Dear Ms. Salak:

Enclosed for filing please find the original and one (1) copy of the Application for Authority to Provide Competitive Local Exchange Telecommunications Company Service within the State of Florida submitted on behalf of O1 Communications East, LLC.

A check in the amount of \$400.00 is enclosed to cover the filing fee.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3004 or via email to Rnorton@tminc.com.

Thank you for your assistance in this matter.

Sincerely,

RN Robin Norton
Consultant to O1 Communications

Check received with funds received
to Fiscal for deposit. Fiscal to forward
deposit information to Records.

Initials of person who forwarded check
[Handwritten initials]

cc: Michel Nelson - O1 Communications
file: O1 Communications - Florida - Local
tms: FLL1200

COM _____ Enclosures
AFD _____ RN/lm
APA _____
ECO _____
ENG _____
GCL _____
IDM _____
TEL _____
CLK _____

SEP 18 2012

DOCUMENT NUMBER - DATE
06330 SEP 20 12
FPSC-COMMISSION CLERK

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:** O1 Communications East, LLC

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

O1 Communications East, LLC

4. **Official mailing address:**

Street/Post Office Box: 5190 Golden Foothill Parkway
City: El Dorado Hills
State: California
Zip: 95762

5. **Florida address:**

Street/Post Office Box: N/A
City:
State:
Zip:

6. **Structure of organization:**

- | | |
|---|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation |
| <input checked="" type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Other | |

7. **If individual**, provide:

Name:
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: **See Exhibit C attached.**

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 provide 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. N/A

Name:
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): 46-0672103

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

(a) The application:

Name: Robin Norton
Title: Consultant, Technologies Management, Inc.
Street name & number: 2600 Maitland Center Parkway, Suite 300
City: Maitland
State: Florida
Zip: 32751
Telephone No.: 407-740-3004
Fax No.: 407-740-0613
E-Mail Address: Rnorton@tminc.com
Website Address: www.tminc.com

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

Name: James Mertz
Title: Vice President of Industry Affairs, O1 Communications, Inc.
Street name & number: 5190 Golden Foothill Parkway
City: El Dorado Hills
State: CA
Zip: 95762
Telephone No.: 888-444-1111
Fax No.: 916-933-6958
E-Mail Address: jmertz@O1.com
Website Address: www.o1.com

(c) Complaints/Inquiries from customers:

Name: James Mertz
Title: Vice President of Industry Affairs, O1 Communications, Inc.
Street name & number: 5190 Golden Foothill Parkway
City: El Dorado Hills
State: CA
Zip: 95762
Telephone No.: 888-444-1111
Fax No.: 916-933-6958
E-Mail Address: jmertz@O1.com
Website Address: www.o1.com

16. List the states in which the applicant:

- (a) has operated as a Competitive Local Exchange Telecommunications Company**

The Company has not yet initiated operations.

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

The Company is currently seeking certification as a CLEC in Florida, New Jersey, and Pennsylvania.

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

The Company is currently certified as a CLEC in Georgia and New York.

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

The Company has not been denied authority in any state.

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

The Company has not had any regulatory penalties imposed in any state.

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

The Company has not been involved in any civil court proceedings with an interexchange, local exchange or other telecommunications entity.

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.

No.

(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.

No.

(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.

No.

18. Submit the following:

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

See Exhibit A

(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.

See Exhibit A

(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:

See Exhibit B

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: Brad Jenkins
Title: President
Telephone No.: 888-444-1111
E-Mail Address: bjenkins@O1.com

Signature:  _____

Date: 9/4/2012

THIS FORM IS NOT APPLICABLE TO O1 COMMUNICATIONS CENTRAL, LLC

CERTIFICATE SALE, TRANSFER,
OR
ASSIGNMENT STATEMENT

As current holder of Florida Public Service Commission Certificate Number _____, 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:
Title:
Street/Post Office Box:
City:
State:
Zip:
Telephone No.:
Fax No.:
E-Mail Address:

Signature: _____ Date: _____

EXHIBIT A

RESUMES OF KEY MANAGEMENT PERSONNEL

O1 COMMUNICATIONS, INC.
Management Resumes

Brad Jenkins
President

Brad Jenkins is President and co-founder of O1 Communications. Mr. Jenkins is responsible for establishing the overall vision and strategy for O1. He has broad responsibility for maintaining and building O1's network infrastructure through use of equipment, technology and partnerships. Prior to founding O1, Mr. Jenkins started working in the high tech industry at age 22 when he launched a computer consultancy. He quickly turned the custom programming and hardware sales company into an early Internet Service Provider called JPS.net. Under Mr. Jenkins' leadership, JPS.net grew into the largest privately held ISP in California. JPS.net was later purchased and merged into OneMain through a roll-up IPO. Mr. Jenkins left OneMain before it merged into Earthlink to start O1 Communications in 1998 with co-founder Max Seely.

Max Seely
Senior Vice President

Max Seely is the Senior Vice President and co-founder of O1 Communications. Mr. Seely is responsible for the day-to-day operations of sales and marketing and managing the strategic direction of sales' initiatives. In this capacity, Mr. Seely is charged with growing the organization through continual revenue increases and responding to market change with new service and promotions. The sales division is comprised of direct, indirect and wholesale channels, marketing to business customers throughout the state of California. The wholesale division sells call termination services to both domestic and international telecommunications carriers. Mr. Seely has over 30 years of management and executive experience with telecom companies.

Jim Beausoleil
Chief Financial Officer

Jim Beausoleil has been the Chief Financial Officer at O1 Communications since 2005. In this capacity, he has responsibilities or involvement in most areas of the company. Mr. Beausoleil's activities include overall business and strategic planning, management of all accounting and finance functions, forecasting and modeling, and financial policies including contracts, pricing, and compensation plans. Previous industries he has worked in include commercial lending and banking, public accounting, and consulting. Mr. Beausoleil has a CPA license, a degree in Accounting, and an MBA.

Blaine Reeve
Vice President of Operations

Blaine Reeve is the Vice President of Operations at O1 Communications. Mr. Reeve is responsible for the day-to-day operations of customer provisioning, customer service, IT, engineering, network planning, software development, and network operations/reliability. In this capacity, Mr. Reeve is charged with the evolution of the network architecture, scaling network capacity, ensuring network reliability, agile software delivery, and providing top notch service delivery to our customers. Mr. Reeve has over 17 years of management experience in engineering and network operations positions at nationwide Wireless Carriers and Internet Service Providers. Prior to O1 Communications, Mr. Reeve held leadership roles at Western Wireless/VoiceStream, ALLTEL Communications, and Speakeasy Broadband.

EXHIBIT B

FINANCIAL INFORMATION

The financial information is filed separately under seal with a claim of confidentiality.

EXHIBIT C

AUTHORITY TO OPERATE IN FLORIDA

State of Delaware
Secretary of State
Division of Corporations
Delivered 01:05 PM 03/02/2011
FILED 01:05 PM 03/02/2011
SRV 110250929 - 4947658 FILE

**STATE of DELAWARE
LIMITED LIABILITY COMPANY
CERTIFICATE of FORMATION**

- **First:** The name of the limited liability company is Vaya Telecom of Georgia, LLC
- **Second:** The address of its registered office in the State of Delaware is 160 Greentree Drive, Suite 101 in the City of Dover, DE 19904 County of Kent.
The name of its Registered agent at such address is National Registered Agents, Inc.
- **Third:** (Use this paragraph only if the company is to have a specific effective date of dissolution.) "The latest date on which the limited liability company is to dissolve is _____."
- **Fourth:** (Insert any other matters the members determine to include herein.)

In Witness Whereof, the undersigned have executed this Certificate of Formation of Vaya Telecom of Georgia, LLC this 2nd day of March, 20 11.

BY:  _____
Authorized Person(s)

NAME: Jim Beausoleil
Type or Print

Delaware

PAGE 1

The First State

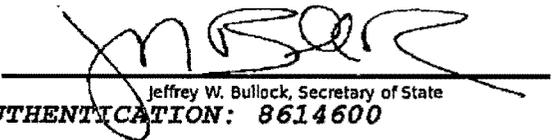
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "VAYA TELECOM OF GEORGIA, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TENTH DAY OF MARCH, A.D. 2011.



4947658 8300

110250929

You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 8614600

DATE: 03-10-11

**STATE OF DELAWARE
CERTIFICATE OF AMENDMENT**

1. Name of Limited Liability Company: Vaya Telecom of Georgia, LLC

2. The Certificate of Formation of the limited liability company is hereby amended as follows:

FIRST: The name of the limited liability company is
O1 Communications East, LLC.

IN WITNESS WHEREOF, the undersigned have executed this Certificate on
the 23 day of December, A.D. 2011.

By: 

Authorized Person(s)

Name: Jim Beausoleil

Print or Type

Delaware

PAGE 1

The First State

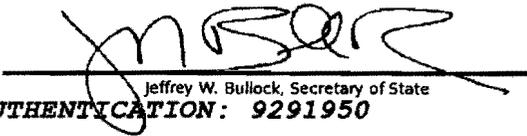
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "VAYA TELECOM OF GEORGIA, LLC", CHANGING ITS NAME FROM "VAYA TELECOM OF GEORGIA, LLC" TO "O1 COMMUNICATIONS EAST, LLC", FILED IN THIS OFFICE ON THE TWENTY-EIGHTH DAY OF DECEMBER, A.D. 2011, AT 7:42 O'CLOCK P.M.

4947658 8100

111347736

You may verify this certificate online
at corp.delaware.gov/authver.shtml




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 9291950

DATE: 01-12-12



FLORIDA DEPARTMENT OF STATE
Division of Corporations

August 3, 2012

MICHEL SINGER NELSON
O1 COMMUNICATIONS EAST, LLC
5190 GOLDEN FOOTHILL PARKWAY
EL DORADO HILLS, CA 95762

Qualification documents for O1 COMMUNICATIONS EAST, LLC were filed on August 2, 2012, and assigned document number M12000004371. Please refer to this number whenever corresponding with this office.

Your limited liability company is authorized to transact business in Florida as of the file date.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the file date or effective date indicated above. If the annual report is not filed by May 1st, a \$400 late fee will be added.

A Federal Employer Identification Number (FEI/EIN) will be required when this report is filed. Contact the IRS at 1-800-829-4933 for an SS-4 form or go to www.irs.gov.

Please notify this office if the limited liability company address changes.

Should you have any questions regarding this matter, please contact this office at the address given below.

Buck Kohr
Regulatory Specialist II
Registration/Qualification Section
Division of Corporations

Letter Number: 012A00020293

www.sunbiz.org

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314