

MOMENTUM TELECOM, INC
3100 Kerner Boulevard, Suite C
San Rafael, California 94901
(415)451-3377 (818) 991-8772

ORIGINAL

December 1, 1997

DEPOSIT DATE
D 6 7 8 DEC 24 1997

Florida Public Service Commission
Division of Communications
Certification & Compliance Section
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0866
(850) 413-6600

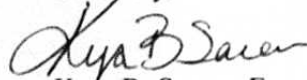
911652-TX

Dear Sir or Madam,

Enclosed, please find an original and seven copies of Momentum Telecom, Inc.'s Application to become an ALEC Reseller in the state of Florida. Six of the copies are for the Commission. It would be appreciated if the extra copy is date stamped and returned to Kyra Sarem at 5515 Tanoak Lane #261, Agoura Hills, CA 91301 in the self addressed stamped envelope. Additionally, I have enclosed a \$250 non-refundable check made payable to the Florida Public Service Commission.

If you have any questions regarding this application, please call or write Kyra Sarem, Esq., at (818)991-8772 or 5515 Tanoak Lane #261, Agoura Hills, CA 91301. Thank you for your prompt attention to this matter.

Sincerely,



Kyra B. Sarem, Esq.
General Counsel

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
LIN _____
OPC _____
RCH _____
SEC _____
WAS _____
OTH _____

DOCUMENT NUMBER-DATE

13193 DEC 24 5

FPSC-RECORDS/REPORTING

APPLICATION FORM

1. This is an application for (check one):

Original authority (new company)

971652

Approval of transfer (to another certificated company)

Example. a certificated company purchases an existing company and desires to retain the original certificate authority.

Approval of assignment of existing certificate (to a noncertificated company)

Example. a non-certificated company purchases an existing company and desires to retain the certificate of authority rather than apply for a new certificate.

Approval for transfer of control (to another certificated company)

Example. a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of applicant:

Momentum Telecom, Inc.

3. Name under which the applicant will do business (d/b/a):

Momentum Telecom

4. If applicable, please provide proof of fictitious name (d/b/a) registration.

Fictitious name registration number: N/A

APPLICATION FORM

5. A. National mailing address including street name, number, post office box, city, state, zip code, and phone number.

Momentum Telecom, Inc.
3100 Kerner Blvd., suite C
San Rafael, CA 94901
(415) 451-3377

- B. Florida mailing address including street name, number, post office box, city, state, zip code, and phone number.

CT - Corporation System
1200 So. Pine Island Road
Plantation, FL 33324
(800) 615-1500

6. Structure of organization: Check appropriate box(es)

<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Foreign Corporation	<input type="checkbox"/> Foreign Partnership
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership
<input type="checkbox"/> Joint Venture	<input type="checkbox"/> Other, Please explain _____

7. If applicant is an individual, partnership, or joint venture, please give name, title and address of each legal entity.

APPLICATION FORM

8. State whether any of the officers, directors, or any of the ten largest stockholders have previously been 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, please explain.

No officers, directors, or any stockholders have previously been adjudged bankrupt, mentally incompetent, nor found guilty of any felony or crime. There are no proceedings pending.

9. If incorporated, please provide proof from the Florida Secretary of State that the applicant has authority to operate in Florida.

Corporate charter number: F 97000001261

10. Please provide the name, title, address, telephone number, Internet address, and facsimile number for the person serving as ongoing liaison with the Commission, and if different, the liaison responsible for this application.

Ms. Kyra Bush Sarem, Esq. General Counsel
5515 Tanoak Lane, Suite 261
Agoura Hills, CA 91301
(818) 991-8772

11. Please list other states in which the applicant is currently providing or has applied to provide local exchange or alternative local exchange service.

California

APPLICATION FORM

12. Has the applicant been denied certification in any other state? If so, please list the state and reason for denial.

No.

13. Have penalties been imposed against the applicant in any other state? If so, please list the state and reason for penalty.

No.

14. Please indicate how a customer can file a service complaint with your company.

call 1-800-615-1500, or write to
Momentum Telecom, Inc. Customer Service
3100 Kerner Blvd., suite C.
San Rafael CA 94901

15. Please complete and file a price list in accordance with Commission Rule 25-24.825.(Rule attached) To be filed under separate cover.

16. Please provide all available documentation demonstrating that the applicant has the following capabilities to provide alternative local exchange service in Florida.

A. Financial capability.

Regarding the showing of financial capability, the following applies:

The application should contain the applicant's financial statements for the most recent 3 years, including:

APPLICATION FORM

1. the balance sheet
2. income statement
3. statement of retained earnings.

Further, a written explanation, which can include supporting documentation, regarding the following should be provided to show financial capability.

1. Please provide documentation that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
2. Please provide documentation that the applicant has sufficient financial capability to maintain the requested service.
3. Please provide documentation that the applicant has sufficient financial capability to meet its lease or ownership obligations.

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.

If available, the financial statements should be audited financial statements.

If the applicant does not have audited financial statements, it shall be so stated. The unaudited financial statements should then be signed by the applicant's chief executive officer and chief financial officer. The signatures should attest that the financial statements are true and correct.

B. Managerial capability.

C. Technical capability.

(If you will be providing local intra-exchange switched telecommunications service, then state how you will provide access to 911 emergency service. If the nature of the emergency 911 service access and funding mechanism is not equivalent to that provided by the local exchange companies in the areas to be served, described in detail the difference.)

MOMENTUM TELECOM, INC
3100 Kerner Boulevard, Suite C
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(415)451-3377 (818) 991-8772

FLORIDA ALEC APPLICATION

A. Financial capability.

See attached unaudited financial statements along with the attestation of Momentum Telecom's CEO, Bob Emerich. Also, notice the statement from WESTAMERICA BANK in Mill Valley California that states Momentum's account balance is consistent and that its account is in good standing. These documents demonstrate that Momentum telecom, Inc. has the financial capability to offer resold local telephone service throughout the state of Florida, maintain that service at a satisfactory level, and to meet all obligations necessary to sustain its business in the state of Florida.

B. Managerial Capability.

Bob Emerich, president and CEO, has spent more than sixteen years in the telecommunications industry. His experience began in Dallas, with Litton Business telephone Systems, in the marketing of switches and key systems. He then worked for MCI for five years in private line sales and shared voice facilities (Execunet). He has been written about in "MCI: the Former Years - 1968-1988," and he was instrumental in taking that company from the red to the black with his creative marketing techniques in new business sales. While with MCI, he did some network design and least cost routing for some major USA corporations.

Mr. Emerich was the founder of La Conexion Familiar, a switchless reseller which he sold to Sprint in 1993. Its focus was Hispanic residential customers in Texas, California, Arizona, and Illinois. The company grew rapidly through the use of LEC billing generating more than \$30 million in sales revenues in its first eighteen months.

Gisela Macedo, was the Vice President of Operations for La Conexion Familiar. She oversaw the customer service department, order processing department, and managed LEC billing. She will act in the same capacity with Momentum Telecom, Inc

C. Technical Capability.

See discussion of Managerial Capability.



November 28, 1978

To whom it may concern:

This letter confirms the fact that our financial statements as of November 20, 1997 are true and correct. If you have any questions, please give me a call at 415-451-3377.

Bob Emrich
President

**Momentum Telecom
Balance Sheet
As of November 20, 1997**

11/20/97

Nov 20, '97

ASSETS	
Current Assets	
Checking/Savings	
Checking Accounts	14,323.48
Total Checking/Savings	14,323.48
Accounts Receivable	
Accounts Receivable	8,807.10
Stock Subscription Receivable	900,000.00
Total Accounts Receivable	908,807.10
Other Current Assets	
Advances to Employees	
Inventory Asset	26,672.95
Total Other Current Assets	26,672.95
Total Current Assets	949,803.53
Fixed Assets	
Furniture, Fixtures & Equipment	138,045.81
Total Fixed Assets	138,045.81
Other Assets	
Deposit	79,784.00
Loan Fees	6,820.00
Start-Up Expenses	15,661.68
Total Other Assets	102,065.68
TOTAL ASSETS	<u>1,190,915.02</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	35,945.46
Total Accounts Payable	35,945.46
Credit Cards	
American Express	
Total Credit Cards	_____
Other Current Liabilities	
Loans from Shareholder	50,500.00
Payroll Taxes	6,214.41
Sales Tax Payable	1,773.72
Total Other Current Liabilities	58,488.13
Total Current Liabilities	94,433.59
Total Liabilities	94,433.59
Equity	
Capital Stock	1,414,000.00
Debitance	1,475,000.00
Retained Earnings	-110,448.98
Net Income	-1,082,368.58
Total Equity	1,086,181.43
TOTAL LIABILITIES & EQUITY	<u>1,190,915.02</u>

WESTAMERICA BANK

MILL VALLEY OFFICE

September 30, 1997

TO WHOM IT MAY CONCERN:

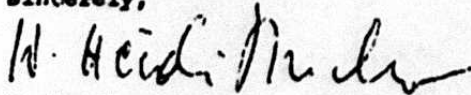
RE: BANK REFERENCE FOR MOMENTUM TELECOM INC.

This letter is to verify that Momentum Telecom Inc. opened a Business checking and a Bus. Money Market Savings acct. with Westamerica Bank. The opening date was 10-16-1996. The average balance of the checking account is in the high five to low six figures, and the account is in good standings.

Robert Emrich has been a client with Westamerica Bank for over 11 years (personal and other Bus. accts.). Mr. Emrich is a highly valued, excellent client, and we can highly recommend him.

Should you have any further questions, please do not hesitate to call me at 415-381-1115.

Sincerely,



W. Heidi Duckor
AVP & Branch S. Manager

25-24.825 Price List.

(1) Prior to providing service, each company subject to these rules shall file and maintain with the Commission a current price list which clearly sets forth the following information for basic local telecommunications services, as defined in s. 364.02(2), F. S. If basic local telecommunications service is offered on a package basis, the following information must be provided for the package:

- (a) current prices,
- (b) customer connection charges,
- (c) billing and payment arrangements, and
- (d) levels of service quality which the company holds itself out to provide for each service.

(2) At the company's option, price list information in paragraph (1) above and other information concerning the terms and conditions of service may be filed for services other than basic local telecommunication services.

(3) A price list revision must be physically received by the Commission's Division of Communications at least one day prior to its effective date.

(4) Price lists must be on 8 ½ by 11 inch paper in loose-leaf form and must utilize an ongoing page identification system which will allow for the identification of inserted and removed pages. The color of paper on which price lists are filed must be amenable to being clearly photocopied on standard photocopy equipment.

(5) Complete information concerning a company's service offerings, rates and charges, conditions of service, service quality, terms and conditions, service area, and subscribership information identified by local exchange company exchange must be made available to Commission staff upon request.

Specific Authority: 350.127(2)

Law Implemented: 364.04, 364.337(5), F.S.

History: New 12/26/95.

MOMENTUM TELECOM, INC
3100 Kerner Boulevard, Suite C
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(415)451-3377 (818) 991-8772

December 1, 1997

DEPOSIT
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DATE
DEC 24 1997

Florida Public Service Commission
Division of Communications
Certification & Compliance Section
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0866
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Sincerely,

Kyra B Sarem
Kyra B. Sarem, Esq.
General Counsel

MOMENTUM TELECOM, INC.

591 REDWOOD HWY. STE. 2385
MILL VALLEY, CA 94641
415-389-7200

4115

PAY
TO THE
ORDER OF

Florida Public Service Commission

DATE 10-28-97

90-4021/1211
516

\$ 250.00

Two hundred fifty

DOLLARS

WESTAMERICAN BANK

MILL VALLEY OFFICE 1-800-894-1000
P.O. BOX 1207 • 64 EAST BLANDEALE AVENUE
MILL VALLEY, CA 94642

FOR

PUC Filing Fee - FLA

[Signature]

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARCIA



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

December 29, 1997

Momentum Telecom, Inc.
c/o Ms. Kyra Bush Sarem, Esquire
3100 Kerner Boulevard, Suite C
San Rafael, California 94901

Re: Docket No. 971652-TC

Dear Ms. Bush:

This will acknowledge receipt of an application for certificate to provide alternative local exchange telecommunications service by Momentum Telecom, Inc., which was filed in this office on December 24, 1997 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Please make note as well that Commission Rule 25-22.005(7), F.A.C., requires certificated companies to notify the Commission of any changes in name, telephone, address, or contact person. Should your application be granted by the Commission, you will be expected to comply with this rule by advising us of any changes as they occur.

Division of Records and Reporting
Florida Public Service Commission