

Lance J.M. Steinhart
Attorney At Law
6455 East Johns Crossing
Suite 285
Duluth, Georgia 30097

Also Admitted in New York
and Maryland

Telephone: (770) 232-9200
Facsimile: (770) 232-9208

August 12, 2000

VIA OVERNIGHT DELIVERY

Ms. Debra Renner
Acting Executive Secretary
State of New York
Department of Public Service
Public Service Commission
Three Empire State Plaza
Albany, New York 12223
(518) 474-7080

PUBLIC SERVICE COMMISSION
RECEIVED

AUG 15 2000

FILES
ALBANY, N.Y.

Re: IDS Telcom LLC

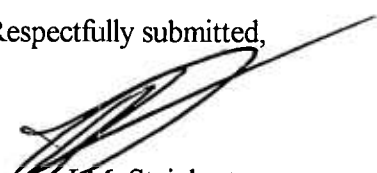
Dear Ms. Renner:

On behalf of IDS Telcom LLC enclosed please find one original and four (4) copies of IDS Telcom LLC's Application for Certification as a Common Carrier as a Reseller of Telephone Services.

This filing includes an interexchange tariff consisting of sheets 1 through 39 bearing an issue date of August 15, 2000 and an effective date of November 15, 2000. IDS Telcom LLC hereby requests that its tariff become effective on the earliest possible date following certification.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self addressed, postage prepaid envelope. If you have any questions, or if I may provide you with additional information, please do not hesitate to call me.

Respectfully submitted,


Lance J.M. Steinhart
Attorney for IDS Telcom LLC

Enclosures

cc: Michael Noshay

ack [signature]

Lance J.M. Steinhart
Attorney At Law
6455 East Johns Crossing
Suite 285
Duluth, Georgia 30097

Also Admitted in New York
and Maryland

Telephone: (770) 232-9200
Facsimile: (770) 232-9208

August 12, 2000

VIA OVERNIGHT DELIVERY

Ms. Debra Renner
Acting Executive Secretary
State of New York
Department of Public Service
Public Service Commission
Three Empire State Plaza
Albany, New York 12223
(518) 474-7080

PUBLIC SERVICE COMMISSION
RECEIVED

AUG 15 2000

FILES
ALBANY, N.Y.

Re: IDS Telcom LLC


Dear Ms. Renner:

On behalf of IDS Telcom LLC enclosed please find one original and four (4) copies of IDS Telcom LLC's Application for Certification as a Common Carrier as a Reseller of Telephone Services.

This filing includes an interexchange tariff consisting of sheets 1 through 39 bearing an issue date of August 15, 2000 and an effective date of November 15, 2000. IDS Telcom LLC hereby requests that its tariff become effective on the earliest possible date following certification.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self addressed, postage prepaid envelope. If you have any questions, or if I may provide you with additional information, please do not hesitate to call me.

Respectfully submitted,


Lance J.M. Steinhart
Attorney for IDS Telcom LLC

Enclosures

cc: Michael Noshay

ack [signature]

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

In the Matter of)
)
IDS Telcom LLC)
)
Application For Certification)
as a Common Carrier) **Case No.**

PETITION FOR CERTIFICATION AS A COMMON CARRIER

IDS Telcom LLC (hereinafter "Applicant"), through its attorney, hereby petitions the New York Public Service Commission (hereinafter the "Commission") for Certification as a Common Carrier pursuant to Section 99 of New York State Public Service Law. In support thereof, the following information is provided:

1. Identification of applicant and principal business office:

Company Name:

IDS Telcom LLC

Street Address:

1525 Northwest 167th Street, Second Floor Miami, Florida 33169

Manager and Telephone/Fax:

Anthony Petrone

Telephone: (305) 913-4000; Fax: (305) 913-4011

Other Managers and Telephone/Fax:

Joseph C. Millstone

Michael Noshay

Telephone: (305) 913-4000; Fax: (305) 913-4011

Copies of all correspondence should be sent to Lance J.M. Steinhart, Esq., 6455 East Johns Crossing, Suite 285, Duluth, Georgia 30097 who can be reached at 770-232-9200 (telephone), 770-232-9208 (facsimile), and lsteinhart@telecomcounsel.com (e-mail).

2. Authority to Transact Business in New York

A copy of the company's certificate of organization and, if not incorporated in New York State, a copy of the authority to transact business in New York State (foreign business authority) is attached hereto as Exhibit A.

3. General description of the services to be offered and how it would enhance competition in the area to be served.

Upon receiving certification, the company intends to provide interstate and intrastate resold and facilities-based telecommunications services in New York, including the following:

1. Interexchange (switched and dedicated services):

- A. 1+ and 101XXXX outbound dialing;
- B. 800/888 toll-free inbound dialing;
- C. Prepaid and Postpaid calling cards;
- D. Directory Assistance; and
- E. Frame Relay and other data services.

2. Local Exchange:

- A. Local Exchange Services for business and residence customers that will enable customers to originate and terminate local calls in the local calling area served by other LECs.
- B. Switched local exchange services such as flat-rated and measure-rated local services; vertical services, Direct Inward and Outward Dialed trunks, carrier access, public and semi-public coin telephone services, and any other switched local services that currently exist or will exist in the future.
- C. Non-switched local services (e.g., private line) that currently exist or will exist in the future.
- D. Centrex and/or Centrex-like services that currently exist or will exist in the future.

E. Digital subscriber line, ISDN, and other high capacity line services.

Grant of this Application will further the public interest and enhance competition by expanding the availability of competitive telecommunications services in the State of New York. In addition, intrastate offering of these services is in the public interest because the services will provide customers with access to new technologies and service choices, and can permit customers to achieve increased efficiencies and cost savings. Applicant's entry into the telecommunications services market thereby will enhance materially the telecommunications infrastructure in the State of New York and will facilitate economic development.

In particular, the public will benefit directly, through the use of the competitive services to be offered by Applicant, and indirectly, because the presence of Applicant in this market will increase the incentives for other telecommunications providers to operate more efficiently, offer more innovative services, reduce their prices, and improve their quality of service.

Applicant's proposed tariff for interexchange service is attached hereto as Exhibit B. The Applicant further requests authority to file local service tariffs pursuant to 16 NYCRR 630.15, and to enter into contracts with customers in lieu of rates, charges, and regulations set forth in its tariffs on a non-discriminatory basis.

4. Description of the plant and system to be constructed and the anticipated construction schedule.

The Applicant intends to construct its own transmission and switching facilities, utilizing fiber optics, microwave, copper cables, carrier, digital, analog, and other technologies. The Applicant intends to install its initial Class 5 switch in Manhattan by the end of the year 2000 and intends to collocate telecommunications equipment in central offices in Manhattan. Remote vehicles and other switches may subsequently be installed in other areas. The facilities may be used for both switched and private line traffic and shall include the provision of business switched local exchange service. The facilities constructed by the Applicant may be used separately or in conjunction with similar facilities provided by or obtained from other entities.

The Applicant anticipates that its initial operations will be conducted in Manhattan, where its initial switching equipment will be located, and it will service customers in Manhattan, as well as the boroughs of Brooklyn, the Bronx, Queens and Staten Island. Future expansion will occur in other areas of the state as may be authorized by tariff. Accordingly, the Applicant requests statewide certification.

5. Statement regarding switching customers

The company has never acquired a customer by switching it from another company without the customer's authorization.

6. Statement regarding complaints

The company was never the subject of a complaint and/or investigation for unauthorized switching of a customer's local or long distance service from one carrier to another.

7. Federal Employer Identification Number.

Applicant's federal employer identification number is 65-0923839.

8. Access to public safety/emergency telephone services, access to the statewide relay system and lifeline service & Compliance with Commission's Order in Case 94-C-0095, issued May 22, 1996.

The Applicant will comply with all of the requirements set forth in the Commission's Order in Case 94-C-0095, issued May 22, 1996. The specific methodology for such compliance is set forth in Exhibit C which is attached hereto.

9. "0-" call processing

The company will have "0-" emergency calls processed by the ILEC or other "0-" certified operator services provider.

10. IntraLATA presubscription implementation plan.


A copy of the Applicant's IntraLATA presubscription implementation plan is attached hereto as Exhibit D.

In view of the foregoing, Applicant hereby respectfully submits that the Public Convenience and Necessity would be served by the grant of its Certification as a Common Carrier and its Certificate of Public Convenience and Necessity to operate as a reseller and facilities-based provider of local exchange and interexchange telephone services within the State of New York.

Respectfully submitted,

IDS Telecom LLC

By:



Lance J.M. Steinhart, Esq.
6455 East Johns Crossing
Suite 285
Duluth, Georgia 30097
770-232-9200
Its Attorney

Duluth, Georgia
8/12, 2000

LIST OF EXHIBITS

Exhibit A - Authority To Transact Business & Articles of Organization

Exhibit B - Proposed Interexchange Tariff

Exhibit C - Compliance with the Commission's Order in Case 94-C-0095

Exhibit D - IntraLATA Presubscription Implementation Plan

**Exhibit A - Authority to Transact Business
& Articles of Organization**

New York State
Department of State
Division of Corporations, State Records
and Uniform Commercial Code
Albany, NY 12231

APPLICATION FOR AUTHORITY OF

IDS TELCOM LLC

(Insert name of Foreign Limited Liability Company)

Under Section 802 of the Limited Liability Company Law

FIRST: The name of the limited liability company is: _____
IDS TELCOM LLC

If applicable, the fictitious name under which the limited liability company will do business in New York is:

SECOND: The jurisdiction of organization of the limited liability company is: Florida

The date of its organization is: IDS Telcom was formed on June 2, 1999 as a Florida general partnership, and was converted into a Florida limited liability company on July 14, 2000

THIRD: The county within this state in which the office, or if more than one office, the principal office, of the limited liability company is to be located is: _____

FOURTH: The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process served against him or her is: _____
IDS TELCOM LLC; 1525 Northwest 167th Street; Second Floor; Miami, FL 33169

FIFTH: The address of the office required to be maintained in the jurisdiction of its formation, or if one is not required, the address of principal office of the limited liability company is: _____
1525 Northwest 167th Street; Second Floor; Miami, FL 33169

SIXTH: The foreign limited liability company is in existence in its jurisdiction of formation at the time of filing of this application.

SEVENTH: The name and address of the authorized officer (i.e., Secretary of State) in the jurisdiction of its formation where a copy of its articles of organization is filed, or if no public filing of its articles of organization is required by the laws of the jurisdiction of formation, the name and post office address of the person responsible for providing copies thereof with all amendments thereto are:

Michael Noshay 1525 Northwest 167th Street, Second Floor, Miami, FL 33169

x Michael Noshay
(Signature)

Michael Noshay
(Type or print name)

President
(Title or capacity of signer)

Please Note: A certificate of existence or, if no such certificate is issued by the jurisdiction of formation, a certified copy of the articles of organization of the limited liability company and all subsequent amendments therefore, or if no articles of organization have been filed, a certified copy of the certificate filed as its organizational base and all amendments thereto, must be attached to the application for authority when submitted for filing. If such certificate or certified copy is in a foreign language, a translation in English thereto under oath of the translator shall be attached.

New York State
Department of State
Division of Corporations, State Records
and Uniform Commercial Code
Albany, NY 12231

APPLICATION FOR AUTHORITY OF

IDS TELCOM LLC

(Insert name of Foreign Limited Liability Company)

Under Section 802 of the Limited Liability Company Law

FIRST: The name of the limited liability company is: _____
IDS TELCOM LLC

If applicable, the fictitious name under which the limited liability company will do business in New York is:

SECOND: The jurisdiction of organization of the limited liability company is: Florida

The date of its organization is: IDS Telcom was formed on June 2, 1999 as a Florida general partnership, and was converted into a Florida limited liability company on July 14, 2000

THIRD: The county within this state in which the office, or if more than one office, the principal office, of the limited liability company is to be located is: _____

FOURTH: The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process served against him or her is: _____
IDS TELCOM LLC; 1525 Northwest 167th Street; Second Floor; Miami, FL 33169

FIFTH: The address of the office required to be maintained in the jurisdiction of its formation, or if one is not required, the address of principal office of the limited liability company is: _____
1525 Northwest 167th Street; Second Floor; Miami, FL 33169

SIXTH: The foreign limited liability company is in existence in its jurisdiction of formation at the time of filing of this application.

SEVENTH: The name and address of the authorized officer (i.e., Secretary of State) in the jurisdiction of its formation where a copy of its articles of organization is filed, or if no public filing of its articles of organization is required by the laws of the jurisdiction of formation, the name and post office address of the person responsible for providing copies thereof with all amendments thereto are:

Michael Noshay 1525 Northwest 167th Street, Second Floor, Miami, FL 33169


(Signature)

Michael Noshay
(Type or print name)

President
(Title or capacity of signer)

Please Note: A certificate of existence or, if no such certificate is issued by the jurisdiction of formation, a certified copy of the articles of organization of the limited liability company and all subsequent amendments therefore, or if no articles of organization have been filed, a certified copy of the certificate filed as its organizational base and all amendments thereto, must be attached to the application for authority when submitted for filing. If such certificate or certified copy is in a foreign language, a translation in English thereto under oath of the translator shall be attached.

State of Florida



Department of State

I certify from the records of this office that IDS TELCOM-LLC, is a limited liability company organized under the laws of the State of Florida, filed on July 14, 2000.

The document number of this company is L00000008398.

I further certify that said company has paid all fees due this office through December 31, 2000, and its status is active.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Seventh day of August, 2000



CR2EO22 (1-99)

Katherine Harris

Katherine Harris
Secretary of State

H00000037085

**ARTICLES OF ORGANIZATION
OF
IDS TELCOM LLC**

ARTICLE I - Name

The name of the Limited Liability Company is "IDS TELCOM LLC" (the "Company").

ARTICLE II - Principal Office

The mailing address and street address of the principal office of the Company is: 1525 N.W. 167th Street, Suite 200, Miami, Florida 33169.

ARTICLE III - Registered Agent

The name of the initial registered agent of the Company is Michael Noshay, and the street address of the Company's initial registered agent is 1525 N.W. 167th Street, Suite 200, Miami, Florida 33169.

ARTICLE IV - Management

The Company will be a manager-managed company. The initial Managers shall be ANTHONY PETRONE, JOSEPH C. MILLSTONE, and MICHAEL NOSHAY.

H00000037085

H00000037085

These Articles of Organization are hereby executed by the undersigned Members of the Company.

IDS LONG DISTANCE, INC., a Florida corporation

By: *Michael Noshay*
Michael Noshay, President
Date: 7/13/00

ANTHONY L. PETRONE, INC., a Florida corporation

By: *Anthony L. Petrone*
Anthony L. Petrone, President
Date: 7/13/00

JOSEPH C. MILLSTONE, LLC, a Florida limited liability company

By: *Joseph C. Millstone*
Joseph C. Millstone, as the sole Member and Manager
Date: 7/13/00

State of Florida



Department of State

I certify the attached is a true and correct copy of the Certificate of Conversion, filed on July 14, 2000, for IDS TELCOM LLC, the resulting Florida Limited Liability Company, as shown by the records of this office.

I further certify the document was electronically received under FAX audit number H00000037085. This certificate is issued in accordance with section 15.16, Florida Statutes, and authenticated by the code noted below.

The document number of this entity is L00000008398.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the Nineteenth day of July, 2000

Authentication Code: 100A00039109-071700-L00000008398-1/1



CR2EO22 (1-08)

Katherine Harris

Katherine Harris
Secretary of State

H00000037085

CERTIFICATE OF CONVERSION TO A LIMITED LIABILITY COMPANY

Pursuant to Florida Statutes Section 608.439, IDS Telcom, a Florida general partnership, hereby converts to a Florida limited liability company by simultaneously filing the attached Articles of Organization and stating as follows:

1. IDS Telcom was formed on June 2, 1999 as a Florida general partnership. IDS Telcom remained as a Florida general partnership until the date of filing this Certificate of Conversion to a Limited Liability Company.
2. The name of the general partnership immediately prior to the filing of this Certificate of Conversion to a Limited Liability Company was "IDS Telcom".
3. The name of the limited liability company, as set forth in the attached Articles of Organization, is "IDS Telcom LLC".
4. The conversion to a limited liability company shall be effective as of the date this Certificate and the attached Articles of Organization are filed.

H00000037085

H00000037085

This Certificate of Conversion to a Limited Liability Company is hereby executed by the undersigned Partners of IDS Telcom and Members of IDS Telcom LLC.

IDS LONG DISTANCE, INC., a Florida corporation

By: *Michael Noshay*
Michael Noshay, President
Date: 7/13/00

ANTHONY L. PETRONE, INC., a Florida corporation

By: *Anthony L. Petrone*
Anthony L. Petrone, President
Date: 7/13/00

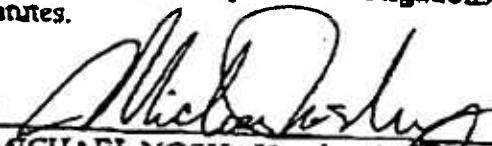
JOSEPH C. MILLSTONE, LLC, a Florida limited liability company

By: *Joseph C. Millstone*
Joseph C. Millstone, as the sole Member
Date: 7/13/00

H00000037085

Acceptance of Appointment of Registered Agent

MICHAEL NOSHAY, having been named the Registered Agent of IDS TELCOM LLC, hereby accepts such designation and is familiar with, and accepts, the obligations of such position, as provided in Chapter 608 of Florida Statutes.


MICHAEL NOSHAY
Date: 7/19/00

H00000037085

Exhibit C

Applicant will comply with the requirements set forth in the Commission's February 10, 1994 Order in Case 94-C-0095 as follows:

i. provide, without undue discrimination or preference, service to any willing customer within the carrier's defined service territory.

RESPONSE: Applicant will serve any willing customer in the area where it constructs facilities capable of serving the customer.

ii. provide access to public safety/emergency telephone services (911, E-911, 0-), the statewide relay system, and Lifeline service.

RESPONSE: Applicant will provide E-911 access wherever it is available by providing customer data for any authorized E-911 databases and by routing 911 calls through the local authorized network to the Public Safety Answering Point so that all calls will carry with them the E-911 information. Where E-911 is not available, Applicant will also route 911 calls through the local authorized network. Applicant will initially contract with another entity certified by the Commission for the provision of 0- service, but may subsequently provide such services itself. Applicant will provide access to the statewide relay system through use of direct connect facilities or use of an 800 number, and will make such changes to relay system access as may be required. Applicant will offer Lifeline service by reselling any available Lifeline service.

iii. Comply with the Commission's Telephone Fair Practices rules (TFPA) (16 NYCRR Part 630, et. seq.).

RESPONSE: Applicant will comply with Part 633. Its billing system will accommodate Part 633 requirements.

iv. Comply with the Commission's common carrier rules (16 NYCRR Part 605).

RESPONSE: Applicant will comply with these rules.

v. Comply with the Commission's Statement of Policy on Privacy in Telecommunications (Case 90-C-0075, issued March 22, 1991).

RESPONSE: Applicant will comply with this Statement.

vi. Comply with the Commission's Open Network Architecture (ONA) Principles (Case 88-C-004), Opinion No. 89-28, issued September 11, 1989).

RESPONSE: Applicant will comply with these Principles.

vii. Provide reasonable interconnections for the joint provision of service to any duly certificated carrier requesting such interconnection.

RESPONSE: Applicant will provide such interconnection. Applicant will participate in any established Commission on Standards and Cooperative Practices (or the equivalent) covering any service territory in which it operates.

viii. Comply with the Commission's service quality standards (16 NYCRR, Part 603).

RESPONSE: Applicant will comply with these standards.

Exhibit D - IntraLATA Presubscription Implementation Plan

I. Purpose

The intent of this Plan is to provide a proposal that, upon implementation, would provide customers the ability to select the telecommunications carrier of their choice for routing their intraLATA toll calls.

II. Carrier Selection Procedures

Applicant will implement the full 2-PIC (Primary Interexchange Carrier) carrier selection methodology. With the full 2-PIC methodology, customers will be able to presubscribe to one telecommunications carrier for interLATA toll calls and presubscribe to the same or a different participating telecommunications carrier, including their existing local exchange company, for all intraLATA toll calls. Orders for changes will be accepted and processed beginning on the implementation date.

Applicant employees who communicate with the public, accept customer orders, and serve in customer service capacities will be trained to explain the process to customers for making PIC changes for intraLATA toll calls. Business Office personnel will be prepared to make changes in customer records based upon requests from customers or carriers and direct customers to their chosen intraLATA carriers. Processes will be in place to provide new customers with an opportunity to choose their intraLATA toll carrier from a list of available carriers.

New Customers

Customers who contact Applicant requesting new telephone exchange service will be provided a list of telecommunications carriers available to provide interLATA toll service. Upon implementation of intraLATA toll presubscription, the customer will be provided a second list of carriers, including Applicant, that provide intraLATA toll service in their exchange. The list of intraLATA toll carriers will be presented in a competitively neutral manner. Customers who do not make a positive choice for an intraLATA toll carrier will be identified within Applicant's system as a "no-PIC" and will not be automatically defaulted to a carrier. Customers identified as "no-PIC" within Applicant's systems will be required to dial 10XXX to place intraLATA toll calls until they make an affirmative choice for an intraLATA toll carrier.

III. Customer Education/Notification

Customers will receive information explaining their opportunity to select an intraLATA carrier a minimum of 30 days in advance of the offering of intraLATA toll dialing parity via a bill message. In addition, during the 30 days following implementation of intraLATA Dialing Party, customers will receive a bill insert also explaining their opportunity to select an intraLATA carrier. Applicant anticipates that promotional strategies by carriers will contribute to customer awareness of intraLATA toll dialing parity. Customer telephone directories will be updated as new editions are published to reflect the opportunity for customers to choose an intraLATA toll carrier.

IV. Carrier Notification

Current interexchange carriers will be notified of Applicant's intraLATA toll dialing parity implementation via letter approximately 90 days in advance of the proposed implementation date. Carriers should provide a list of exchanges in which they plan to offer intraLATA toll service at least 60 days in advance of Applicant's implementation date. Applicant needs notification in advance to include the carrier on the list of participating carriers in each Applicant exchange. Certified carriers who enter the market after implementation will be added to the list of participating carriers within 30 days of notifying Applicant.

Applicant will provide subscriber listing information to carriers in "readily accessible" tape or electronic formats in a timely manner as requested through the processes that currently exist for the interLATA market. The process includes subscriber listing updates to carriers for new customers who choose that carrier or of existing customers of a carrier who revise their subscriber listing information. In addition, carriers can obtain complete subscriber listings in several formats. The provision of this information is in compliance with FCC Order No. 96-333, Paragraph 389.

Applicant will comply with Part 51, Sections, 305, 307, 325, 327, 329, 331, 333 and 335 of the FCC Order in providing the required information and notice to the public of network changes. Applicant plans to file a public notice with the FCC, with possible migration of the notice to the Internet process as described in Section 329. The notice will include network information as outlined in Section 327. The notice will be provided within the timeframes described in Sections 331-333.