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April 27, 2009

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VIA OVERNIGHT COURIER

Eddie Roberson, Ph.D.
Interim Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

**Re: *In the Matter of the Application of Broadview Networks, Inc. for
A Certificate to Provide Competing Local and Long Distance
Telecommunications Services***

Dear Mr. Roberson:

On behalf of Broadview Networks, Inc. ("Broadview"), transmitted herewith is an original plus thirteen (13) copies of its Amended application for a Certificate to Provide Competing Long Distance Telecommunications Services in the State of Tennessee. Broadview submits this Amended Application at the request of TRA Staff for the purpose of clarifying that through this application, Broadview seeks both local and long distance telecommunications service authority through Tennessee.

Please associate this Amended Application with the file materials in Docket No. 09-00050.

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TN REGULATORY AUTHORITY
UTILITIES DIVISION

EDDIE ROBERSON, PH.D.
APRIL 27, 2009
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Finally, an additional copy of this letter is enclosed, to be date-stamped and returned in the postage-prepaid envelope provided.

Should there be any questions regarding this filing, kindly contact the undersigned.

Respectfully submitted,

A handwritten signature in cursive script, reading "Catherine M. Hannan".

Catherine M. Hannan
Counsel for Broadview Networks, Inc.

Enclosures

CC: Lisa Foust, TRA

BEFORE THE TENNESSEE REGULATORY AUTHORITY

**IN THE MATTER OF THE APPLICATION
OF BROADVIEW NETWORKS, INC.
FOR A CERTIFICATE TO PROVIDE
LOCAL AND LONG DISTANCE
TELECOMMUNICATIONS SERVICES**

**AMENDED APPLICATION FOR CERTIFICATE TO PROVIDE
LOCAL AND LONG DISTANCE SERVICES**

Pursuant to applicable Tennessee Statutes and the Rules and Regulations of the Tennessee Regulatory Authority ("TRA"), Broadview Networks, Inc. ("Broadview" or "Applicant"), respectfully requests that the TRA grant to Broadview authority to provide local and long distance telecommunications services, within the State of Tennessee. Broadview is willing and able to comply with all applicable rules and regulations in Tennessee pertaining to the provision of competing local telecommunications and long distance services. TCA 65-4-201. Broadview submits this Amended Application at the request of TRA Staff for the purpose of clarifying that Applicant seeks both local and long distance telecommunications service authority in Tennessee.

In support of its application, Broadview submits the following:

1. The full name and address of the Applicant is:

Broadview Networks, Inc.
800 Westchester Avenue, SuiteN-501
Rye Brook, NY 10573
Telephone: (914) 722-7000
Facsimile: (914) 722-7001
E-mail: www.broadviewnet.com

Questions regarding this application should be directed to:

Catherine M. Hannan
Helein & Marashlian, LLC
The *CommLaw* Group
1483 Chain Bridge Road
Suite 301
McLean, VA 22101
Telephone: (703) 714-1326
Facsimile: (703) 714-1330
E-mail: cmh@commllawgroup.com

Contact name and address of the Company is:

Charles C. Hunter
Executive Vice President, Secretary and General Counsel
Broadview Networks, Inc.
800 Westchester Avenue, Suite N-501
Rye Brook, NY 10573
Telephone: (914) 722-7000
Facsimile: (914) 722-7001
E-mail: chunter@broadviewnet.com

Contact Name and Address of Person Designated as a Contact for the Commission Staff for resolving complaints, inquiries and matters concerning rates and price lists or tariffs:

Steven J. Bogdan
Broadview Networks, Inc.
2100 Renaissance Boulevard
King of Prussia, PA 19407
Telephone: (610) 744-4877
Facsimile: (267) 537-0074
E-mail: sbogdan@broadviewnet.com

2. Organizational Chart of Corporate Structure:

Applicant is a wholly-owned subsidiary of Broadview Network Holdings, Inc.

An organizational chart showing Applicant's corporate structure is attached as **Exhibit A** hereto.

3. Corporate Information:

Broadview is a wholly-owned subsidiary of Broadview Network Holdings, Inc.. A copy of Broadview's Articles of Incorporation and amendments are provided in **Exhibit B**. A copy of Broadview's Authority to Transact Business in the State of Tennessee is provided in **Exhibit C**. The names and addresses of the principal corporate officers are in **Exhibit D**. There are no officers in Tennessee. The biographies of the principal officers and any other key technical staff are in **Exhibit E**.

4. Broadview possess the managerial, technical and financial ability to provide local and long distance telecommunications services in the State of Tennessee as demonstrated below:

A. Financial Qualifications.

Applicant's most recently available balance sheet, income statement and statement of retained earnings are attached hereto as **Exhibit G**. Broadview is financially well-poised to enter additional telecommunications markets and are financially qualified to provide services in Tennessee. No amounts included in Applicant's financial statements or projections relate to reciprocal compensation for terminating ISP traffic.

B. Managerial Ability.

As shown in **Exhibit E** to the Application, Broadview has the managerial expertise to successfully operate a telecommunications enterprise in Tennessee. As described in the attached biographical information, Broadview's management team has extensive management and business experience in telecommunications.

C. Technical Qualifications.

Broadview's services will satisfy the minimum standards established by the TRA. The Company will file and maintain tariffs in the manner prescribed by the

TRA and will meet minimum basic local standards, including quality of service and billing standards required of all LECs regulated by the TRA. As noted in **Exhibit E**, the principal officers of Broadview possess significant telecommunications experience and are technically qualified to provide local exchange service in Tennessee.

5. Proposed Service Area:

Broadview, Inc. is presently authorized by the Federal Communications Commission to provide interstate domestic and international telecommunications services pursuant to Section 214 of the Communications Act of 1934, as amended. Applicant is certified, or otherwise authorized to provide local exchange and interexchange long distance telecommunications services in the States of Connecticut, Massachusetts, New Hampshire, New York, New Jersey, Pennsylvania and Rhode Island. The Company is also certified, registered or otherwise authorized to provide interexchange, long distance services throughout the remainder of the contiguous United States.

Broadview proposes to offer its services throughout the entire State of Tennessee. Broadview intends to offer a broad range of telecommunications services through the use of its own facilities, resold facilities and through a combination of these provisioning methods. Broadview will not be installing any facilities other than equipment to be installed in existing buildings or structures for the purpose of providing telecommunications services in Tennessee. This equipment may eventually include switches; no business decision has yet been made as to the location of any such switching equipment.

6. Types of Service to be provided:

Broadview seeks authority to offer all forms of local and long distance telecommunications services in Tennessee. Applicant's targeted markets are the business and residential consumers. Applicant's services will be provided either through a combination of the Company's own facilities as described above or on a resale basis utilizing the underlying services and facilities of other certificated providers. Because Applicant will not be installing any facilities other than equipment to be installed in existing buildings or structures for the purpose of providing telecommunications services in Tennessee, technical qualifications are not directly germane to Applicant's operations. Applicant maintains close and continuous liaison with its underlying carrier(s) in order to coordinate and expedite new service orders, changes, repairs, etc. of the facilities via the equipment of the underlying carrier.

7. Repair and Maintenance.

Applicant provides live customer service during normal business hours, Monday through Friday. Applicant's toll free number to receive customer complaints and inquiries is 800-689-2459. Broadview Customer Care representatives and 24-hour automated customer assistance allow customers to bring service, billing and repair questions or complaints to the Company's attention 24 hours a day, 7 days a week, facilitating the quick and efficient resolution of Customer concerns. Customers may access Broadview Customer Care toll-free at (800) 276-2384 to initiate service complaints or to receive updates on reported problems or pending customer service complaints; customers may also contact Broadview Customer Care 24 hours a day via the

company's website, www.broadviewnet.com. Inquiries regarding service or billing may also be made in writing.

Grant of this Application will further the goals of the Tennessee Legislature and further the public interest by expanding the availability of competitive telecommunications services in the State of Tennessee. In addition, intrastate offering of these services is in the public interest because the services will provide Tennessee customers increased efficiencies and cost savings. Authorizing Broadview to provide local and long distance telecommunications services will enhance materially the telecommunications infrastructure in the State of Tennessee and will facilitate economic development.

In particular, the public will benefit both directly, through the use of competitive services to be offered by Broadview and indirectly, because Broadview's presence in Tennessee 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. Grant of this Application will further enhance the service options available to Tennessee citizens for the reasons set forth above.

8. Small and Minority-Owned Telecommunications Business Participation Plan: (65-5-212):

Please see **Exhibit G** hereto.

9. Toll Dialing Parity Plan:

Please see **Exhibit H** hereto.

10. Applicant has served notice of this application to the eighteen (18) incumbent local exchange telephone companies in Tennessee with a statement regarding the company's intention of operating geographically. Please see **Exhibit I** for the list.

11. Numbering Issues: Not applicable to Applicant's proposed service offering.

12. Tennessee Specific Operational Issues: Statement provided in **Exhibit K**.

13. Miscellaneous:

- A. Sworn Pre-Filed Testimony: Please see **Exhibit L**.
- B. Applicant does not require customer deposits.
- C. Broadview has not been subject to complaints in any state.
- D. Information copies of Broadview's tariffs are enclosed. Final copies of Applicant's tariffs will be filed with the TRA after grant of this Application.

CONCLUSION

Broadview respectfully requests that the TRA enter an order granting it a certificate of convenience and necessity to operate as a competing telecommunications service provider and authority to provide a full range of local and long distance services on a facilities-based and resale basis throughout the State of Tennessee. For the reasons stated above, Broadview's provision of these services would promote the public interest

by providing high-quality service at competitive prices and by creating greater economic incentives for the development and improvement of all competing providers.

Respectfully submitted this 27th day of April, 2009.

Catherine M. Hannan

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