

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
**November 21, 2000** **Nashville, Tennessee**

**In Re:**           **BFI Communications, Inc.**                         )  
                    **for Cancellation of Authority to Provide**         ) Docket No. 98-00161  
                    **Resold Telecommunication**                         ) Co. ID: 124751  
                    **Services In Tennessee**                             )

## ORDER GRANTING CANCELLATION OF AUTHORITY TO PROVIDE RESOLD TELECOMMUNICATION SERVICES


This matter is before the Tennessee Regulatory Authority (hereafter "Authority") upon the request of **BFI Communications, Inc.** to cancel their authority to provide Resold Telecommunications services in Tennessee. This matter was considered by the Authority at a regularly scheduled Authority Conference held on November 21, 2000.


WHEREFORE, having considered the request of **BFI Communications, Inc.** to cancel their authority, the Authority finds that such a cancellation should be granted.

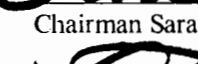
IT IS THEREFORE ORDERED:


- 1) That the request of **BFI Communications, Inc.** to cancel their authority to provide Resold Telecommunication services in Tennessee, Docket No. 98-00161, is hereby granted; and
- 2) That this docket is herewith closed.

ATTEST:

  
K. David Waddell

  
Chairman Sara Kyle

  
Director Lynn Greer

  
Director Melvin Malone

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- 2) That this docket is herewith closed.

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K. David Waddell

Chairman Sara Kyle

~~Director Lynn Greer~~

Director Melvin Malone

Company ID: 124751  
BFI Communication, Inc.  
7060 Miramar Road  
San Diego, CA 33441

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, TN                      January 8, 1997

IN RE: CASE NUMBER: 96-01554

Application for Authority to Provide Operator Services and/or Resell Telecommunications Services in Tennessee Pursuant to Rule 1220-4-2-.57.

---ORDER---

This matter is before the Tennessee Regulatory Authority upon the application of the above-mentioned company for certification as a reseller or telecommunication operator service provider in Tennessee. The TRA considered this application as a Conference held on January 7, 1997, and concluded that the applicant has met all the requirements for certification and should be authorized to provide operator services and/or resell telecommunications services on an intrastate basis.

IT IS THEREFORE ORDERED:

1. That the above-mentioned company is issued a Certificate of Convenience and Necessity as an operator service provider and/or reseller of telecommunications services for state-wide service in Tennessee as specified in its application on file with the Authority.
2. That said company shall comply with all applicable state laws and TRA rules and regulations.
3. That this order shall be retained as proof of certification with this Authority, and may be used to obtain appropriately tariffed service and billing arrangements from Authority authorized telecommunications service providers.

  
Chairman

  
Director

ATTEST:

  
Executive Secretary

  
Director

**E. Check the type of telecommunication services you plan to provide in Tennessee.**

☒ Resell Interexchange long distance services

☐ Resell Local Exchange services

☐ Operator Services

☐ Other (describe below) \_\_\_\_\_

**F. If providing operator services, list company name, address and contact person for all reseller carriers you serve in Tennessee. Provide the above information on Appendix I.**

Not Applicable

**G. List the state(s) you are authorized to operate in at this time.**

Please see Exhibit A.

**H. List any states that you have been denied authority to provide service.**

Applicant has not been denied authority to operate in any state.

**I. Areas in Tennessee to be served.**

Applicant will provide service in all equal access areas within Tennessee.

**J. What type of customers will the company serve?**

a. Business ☒

b. Residential ☒

c. Aggregators ☐

(e.g. Hotels, Payphones)

d. Other (specify) \_\_\_\_\_

**K. Do you allow a property imposed fee (PIF) to be added to the price of intrastate telephone calls over your network? If yes, specify amount.**

Not Applicable

**L. Are your prices for intrastate services plus and PIF equal to or less than the dominant carriers price for similar services?**

Not Applicable

**M. Describe the type of services and prices that the Applicant will be offering in Tennessee on the Informational Tariff Form.**

Please see Exhibit B.

**N. What is the applicant's 10XXX or 800 access code?**

1-800-771-1334

**O. Does the applicant now have or plan to have any telecommunication's facilities (e.g. switches, fiber lines) in Tennessee?**

No.

**P. What facility-based network will the applicant be reselling?**

L.D.D.S., MCI and ITC.

**Q. Will the applicant be utilizing the local telephone company's billing system or billing customers direct?**

Applicant will use the local telephone company for billing customers.

**R. Describe briefly how the applicant plans to market their service in Tennessee? If an independent telemarketer is going to be used state company name and address.**

N/A

**S. Describe the procedures the applicant will use to switch a consumer's preferred interexchange service.**

Written Letter of Agency

**T. Applicant has the ability and agrees to honor the form of call blocking that the consumer has subscribed to with their local telephone company?**

  X   Yes             No

**U. Applicant gives permission to the local telephone company to provide the Commission a periodic sample of the reseller's intrastate toll calls. The purpose of this analysis is to audit the reseller's rates to assure they are at or below the dominant carrier's tariffed rates.**

  X   Yes             No

**PART II: Organization Structure**

**A. Type of Organization**

Individual \_\_\_\_\_ Corporation   X  

Partnership \_\_\_\_\_ Other (Explain on separate sheet) \_\_\_\_\_

**B. Attached as Exhibit C.**

(1) Attach a copy of Articles of Incorporation and current by-laws.

**Attached as Exhibit D.**

(2) Attach a copy of Certification of Authority issued by Tennessee Secretary of State showing corporation's authority to engage in business in Tennessee.

**PART III: Financial Information**

Applicant attaches a copy of its most recent financial statements as Exhibit E.

**PART IV: Display Card**

Attach a copy of the display card to be placed on the aggregators telephone which shows what operator services are to be provided. The card must contain all required information listed in the attached Rule (1220-4-2-.57,B), which includes a toll-free number consumers can call for service problems and refunds.

Not Applicable

**PART V: Rule Compliance Agreement**

**A. The Interexchange reseller or Operator Service Provider applicant, hereby, affirms the following:**

- Has received, read, and understands the Tennessee Public Service Commission's (TPSC) Interexchange Reseller Rules and Regulations, (Appendix III)
- Understands the penalties for non-compliance and all associated fees to provide such service.
- Will comply with the TPSC Interexchange Reseller Rules and all other applicable Commission Rules and state laws, including T.C.A. Section 65-5-206 (Appendix IV).
- That all information provided in the attached registration document is true to the best of my knowledge.

BFI Communications, Inc.

Company Name

10/25/96

Date

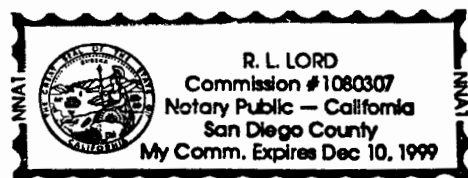
ADIB MAHDI

Treasurer

Title

Subscribed and sworn before me this 25 day of OCTOBER, 1996

R. S. Lord  
Notary Public



1922003

ARTICLES OF INCORPORATION  
OF  
BFI COMMUNICATION, INC.

ENDORSED  
FILED  
In the office of the Secretary of State  
of the State of California

APR 26 1995

*Bill Jones*  
BILL JONES, Secretary of State

I.

The name of this corporation is:

BFI COMMUNICATION, INC.

II.

The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.

III.

The name and address in the State of California of this corporation's initial agent for service of process is:

Adib K. Mahdi  
4427 Rainier Street  
San Diego, California 92120

IV.

This corporation is authorized to issue only one class of shares; and the total number of shares which this corporation is authorized to issue is one million (1,000,000)..

V.

The liability of the directors of this corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.

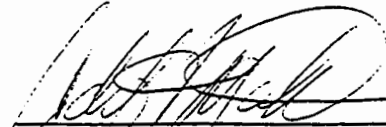
VI.

This corporation is authorized to provide indemnification of agents (as defined in Section 317 of the Corporations Code) to the fullest extent permissible under California law.

VII.

Any repeal or modification of the provisions of Articles V or VI or this Article VII by the shareholders of the corporation shall not adversely affect any right or protection of a director or agent of this corporation existing at the time of such repeal or modification.

Dated: April 26, 1995

  
\_\_\_\_\_  
Adib Mahdi, Incorporator



OCT-24-96 THU 12:31 PM CORP GUAR TR CO

FAX NO. 2155639410

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**Secretary of State****Corporations Section**

James K. Polk Building, Suite 1800

Nashville, Tennessee 37243-0306

DATE: 07/16/96

REQUEST NUMBER: 3191-2730

TELEPHONE CONTACT: (615) 741-0537

FILE DATE/TIME: 07/09/96 1356

EFFECTIVE DATE/TIME: 07/09/96 1356

CONTROL NUMBER: 0315004

TO:  
CORPORATION GUARANTEE & TRUST CO.  
701 ARCHITECTS BLDD  
117 S. 17TH ST.  
PHILADELPHIA, PA 19103-5090

RE:  
BFI COMMUNICATION, INC.  
APPLICATION FOR CERTIFICATE OF  
AUTHORITY - FOR PROFIT

WELCOME TO THE STATE OF TENNESSEE. THE ATTACHED CERTIFICATE OF  
AUTHORITY HAS BEEN FILED WITH AN EFFECTIVE DATE AS INDICATED ABOVE.

A CORPORATION ANNUAL REPORT MUST BE FILED WITH THE SECRETARY OF STATE  
ON OR BEFORE THE FIRST DATE OF THE FOURTH MONTH FOLLOWING THE CLOSE OF THE  
CORPORATION'S FISCAL YEAR. PLEASE PROVIDE THIS OFFICE WITH WRITTEN  
NOTIFICATION OF THE CORPORATION'S FISCAL YEAR. THIS OFFICE WILL MAIL THE  
REPORT DURING THE LAST MONTH OF SAID FISCAL YEAR TO THE CORPORATION AT THE  
ADDRESS OF ITS PRINCIPAL OFFICE OR TO A MAILING ADDRESS PROVIDED TO THIS  
OFFICE IN WRITING. FAILURE TO FILE THIS REPORT OR TO MAINTAIN A REGISTERED  
AGENT AND OFFICE WILL SUBJECT THE CORPORATION TO ADMINISTRATIVE REVOCATION  
OF ITS CERTIFICATE OF AUTHORITY.

WHEN CORRESPONDING WITH THIS OFFICE OR SUBMITTING DOCUMENTS FOR  
FILING, PLEASE REFER TO THE CORPORATION CONTROL NUMBER GIVEN ABOVE.

FOR: APPLICATION FOR CERTIFICATE OF  
AUTHORITY - FOR PROFIT

ON DATE: 07/15/96

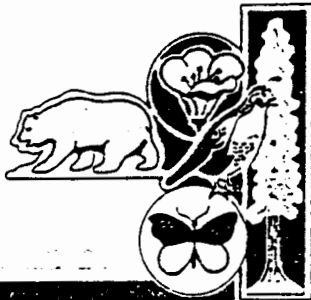
FROM:  
CORPORATION GUARANTEE & TRUST CO  
117 S. 17TH ST  
SUITE 701  
PHILADELPHIA, PA 19103-0000

RECEIVED: **FEE** \$300.00 \$300.00  
TOTAL PAYMENT RECEIVED: \$600.00

RECEIPT NUMBER: 00001985774  
ACCOUNT NUMBER: 00073224



RILEY C. DARNELL  
SECRETARY OF STATE



State  
of  
California  
SECRETARY OF STATE

CORPORATION DIVISION

1922003

I, *BILL JONES*, Secretary of State of the State of California,  
hereby certify:

That the annexed transcript has been compared with  
the corporate record on file in this office, of which it  
purports to be a copy, and that same is full, true and  
correct.

IN WITNESS WHEREOF, I execute  
this certificate and affix the Great  
Seal of the State of California this

**APR 26 1995**



*Bill Jones*

Secretary of State

OCT-24-96 THU 12:32 PM CORP GUAR TR CO

FAX NO. 2155639410

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## APPLICATION FOR CERTIFICATE OF AUTHORITY FOR

FILE

BFI COMMUNICATION, INC.

To the Secretary of State of the State of Tennessee:

Pursuant to the provisions of Section 48-25-103 of the Tennessee Business Corporation Act, the undersigned corporation hereby applies for a certificate of authority to transact business in the State of Tennessee, and for that purpose sets forth:

1. The name of the corporation is BFI COMMUNICATION, INC.

If different, the name under which the certificate of authority is to be obtained is \_\_\_\_\_

[NOTE: The Secretary of State of the State of Tennessee may not issue a certificate of authority to a foreign corporation for profit if its name does not comply with the requirements of Section 48-14-101 of the Tennessee Business Corporation Act. If obtaining a certificate of authority under an assumed corporate name, an application must be filed pursuant to Section 48-14-101(d).]

2. The state or country under whose law it is incorporated is CALIFORNIA3. The date of its incorporation is APRIL 26, 1995 (must be month, day, and year), and the period of duration, if other than perpetual, is \_\_\_\_\_

4. The complete street address (including zip code) of its principal office is \_\_\_\_\_

<u>7467 DRAPER AVENUE</u>	<u>LA JOLLA</u>	<u>CALIFORNIA</u>	<u>92037</u>
Street	City	State/Country	Zip Code

5. The complete street address (including the county and the zip code) of its registered office in this state is \_\_\_\_\_

<u>230 FOURTH AVENUE, 3RD FLOOR,</u>	<u>NASHVILLE,</u>	<u>DAVIDSON, TN</u>	<u>37219</u>
Street	City/State	County	Zip Code

The name of its registered agent at that office is \_\_\_\_\_

JOSEPH MARTIN, JR.

6. The names and complete business addresses (including zip code) of its current officers are: (Attach separate sheet if necessary.)

<u>PRESIDENT--DR. MUHAMMAD MAHDI</u>	<u>7467 DRAPER AVENUE LA JOLLA, CA. 92037</u>
<u>SECRETARY--MOHAMMED USMAN</u>	<u>7467 DRAPER AVENUE LA JOLLA, CA. 92037</u>
<u>TREASURER--ADIB MAHDI</u>	<u>7467 DRAPER AVENUE LA JOLLA, CA. 92037</u>

7. The names and complete business addresses (including zip code) of its current board of directors are: (Attach separate sheet if necessary.)

<u>FRANK SEMMO</u>	<u>7467 DRAPER AVENUE LA JOLLA, CA. 92037</u>
<u>VINCENT ALBANESE</u>	<u>7467 DRAPER AVENUE LA JOLLA, CA. 92037</u>
<u>DAVID VALLADOLID</u>	<u>7467 DRAPER AVENUE LA JOLLA, CA. 92037</u>

8. The corporation is a corporation for profit.

9. If the document is not to be effective upon filing by the Secretary of State, the delayed effective date/time is \_\_\_\_\_, 19\_\_\_\_ (date), \_\_\_\_\_ (time).

[NOTE: A delayed effective date shall not be later than the 90th day after the date this document is filed by the Secretary of State.]

[NOTE: This application must be accompanied by a certificate of existence (or a document of similar import) duly authenticated by the Secretary of State or other official having custody of corporate records in the state or country under whose law it is incorporated. The certificate shall not bear a date of more than one (1) month prior to the date the application is filed in this state.]

JUNE 20, 1996

Signature Date

TREASURER

Signer's Capacity

BFI COMMUNICATION, INC.

Name of Corporation

Signature

ADIB MAHDI

Name (typed or printed)