

(File Original and 3 copies)
No. _____

Docket

00-0320

ICC Office Use Only

Please provide the appropriate information in the () areas in the heading below.

Broadview Networks, Inc. :
Application for a certificate of :
local and interexchange authority :
to operate as a reseller and facilities :
based carrier of telecommunications :
services throughout the :
State of Illinois. :

CHIEF CLERK'S OFFICE
APR 27 12 53 PM '00
ILLINOIS
COMMERCE COMMISSION

**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**
(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name(including d/b/a, if any) FEIN # 16-1401082

Broadview Networks, Inc.

Address: Street 45-18 Court Square, Suite 403

City Long Island City State/Zip NY 11101

2. Authority Requested: (Mark all that apply) 13-403 13-404 13-405

3. Request for waivers/variances: In applications for exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting.

Part 710 Part 735 Section 735.180 83 Ill. Adm Code
Part 250 Other (please see 12. below)

4. In what area of the state does the Applicant propose to provide service?

Statewide

5. Please attach a sheet designating contact persons to work with Staff on the following:

- a) issues related to processing this application
- b) consumer issues
- c) customer complaint resolution
- d) technical and service quality issues
- e) "tariff" and pricing issues
- f) 9-1-1 issues
- g) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address, if any. See Attachment A.

7. Please check type of organization?

Individual

Corporation

Partnership

Date corporation was formed: June 5, 1991 as Briar Joy Development Company and changed its name to Broadview Networks, Inc. on October 5, 1999. The company is a wholly-owned operating subsidiary of Broadview Networks Holdings, Inc., a privately held corporation.

In what state? New York

Other (Specify)

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois. See Attachment B.

9. List jurisdictions in which Applicant is offering service(s).

New York Pennsylvania

Massachusetts

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

YES (Please provide details) NO

11. Have there been any complaints against the Applicant in any other jurisdiction?

YES NO

If YES, describe fully. _____

12. Will the Applicant keep its books and records in Illinois? YES NO

If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

Pursuant to Adm Code Part 250, Applicant hereby respectfully requests permission to keep its books and records in the State of Illinois at its principal place of business. Applicant will make such records available to the Commission upon request, and will reimburse the Commission for any necessary expenses to review such information.

22. Will the applicant sign and return membership forms to the Universal Telephone Assistance Corporation and the Illinois Telecommunications Access Corporation? YES NO
See Attachment D.

FINANCIAL

23. Please attach evidence of applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service. See Attachment E.

TECHNICAL

24. Does Applicant utilize its own equipment and/or facilities? YES NO

If YES, please list: Applicant does not current have any equipment or facilities located in the State of Illinois. Please see Attachment F.

If NO, which facility provider(s)'s services does Applicant use?

Applicant initially intends to resell services utilizing Ameritech, Frontier Communications/Global Crossing or equivalent providers.

25. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, local service).
Local services that are currently offered or are offered in the future by Ameritech in the State of Illinois. Long distance services, including outbound 1+, inbound 800/888 toll-free, calling cards and directory assistance. The company also intends to provide Digital subscriber line, ISDN, and other high capacity services.

26. Will technical personnel be available at all times to assist customers with service problems?
 YES NO

27. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls? YES
 NO NOT APPLICABLE


(Signature of Applicant)

VERIFICATION

This application shall be verified under oath.

OATH

State of New York)
)ss
County of Queens)

Scott Matukas makes oath and says that he/she is VP Administration
(Insert here the name of affiant) (Insert the official title of the affiant)

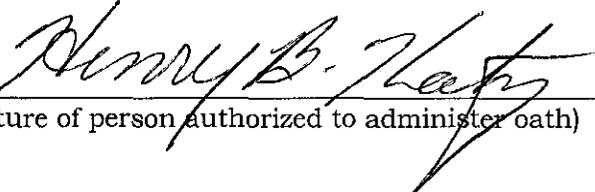
of Broadview Networks, Inc.
(Insert here the exact legal title or name of the Applicant)

that he/she has examined the foregoing application and that to the best of his/her knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.


(Signature of affiant)

Subscribed and sworn to before me, a Notary Public/
Henry B. Katz
(Title of person authorized to administer oaths)

in the State and County above named, this 24th day of April 2000.


(Signature of person authorized to administer oath)

HENRY B. KATZ
NOTARY PUBLIC, STATE OF NEW YORK
COUNTY OF QUEENS
No. 02KA5078837
COMMISSION EXPIRES JUNE 2, 2001

List of Attachments

- A Designated Contact Persons
- B Article of Incorporation and Certificate of Authority
- C Management & Technical Information
- D ITAC & UTAC Membership Forms
- E Financial Information
- F Network Information

Attachment A
Designated Contact Persons

Broadview Networks, Inc.

Designated contact persons for:

a. issues related to processing this application:

name: Lance J.M. Steinhart
title: Regulatory Counsel
mailing address: 6455 East Johns Crossing, Suite 285
Duluth, Georgia 30097
telephone number: 770-232-9200
facsimile number: 770-232-9208
e-mail address: lsteinhart@telecomcounsel.com

b. consumer issues

name: Steve Andreassi
title: Managing Director Regulatory Affairs
mailing address: 45-18 Court Square, Suite 403
Long Island City, NY 11101
telephone number: 718-707-8800
facsimile number: 718-706-9575
e-mail address: sandreassi@broadviewnet.com

c. customer complaint resolution

name: Steve Andreassi
title: Managing Director Regulatory Affairs
mailing address: 45-18 Court Square, Suite 403
Long Island City, NY 11101
telephone number: 718-707-8800
facsimile number: 718-706-9575
e-mail address: sandreassi@broadviewnet.com

d. technical and service quality issues

name: Scott Matukas
title: VP Administration
mailing address: 45-18 Court Square, Suite 403
Long Island City, NY 11101
telephone number: 718-707-8800
facsimile number: 718-706-9575
e-mail address: smatukas@broadviewnet.com

e. "tariff" and pricing issues

name: Steve Andreassi
title: Managing Director Regulatory Affairs
mailing address: 45-18 Court Square, Suite 403
Long Island City, NY 11101
telephone number: 718-707-8800
facsimile number: 718-706-9575
e-mail address: sandreassi@broadviewnet.com

f. 9-1-1 issues

name: Rebecca Sommi
title: VP Network Operations
mailing address: 45-18 Court Square, Suite 403
Long Island City, NY 11101
telephone number: 718-707-8800
facsimile number: 718-706-9575
e-mail address: rsommi@broadviewnet.com

g. Security/law enforcement

name: Steve Andreassi
title: Managing Director Regulatory Affairs
mailing address: 45-18 Court Square, Suite 403
Long Island City, NY 11101
telephone number: 718-707-8800
facsimile number: 718-706-9575
e-mail address: sandreassi@broadviewnet.com

Attachment B - Article of Incorporation and Certificate of Authority

See Attached

Attachment C - Management & Technical Information

See Attached

Attachment D – ITAC & UTAC Membership Forms

MEMBERSHIP APPLICATION AND AGREEMENT
ILLINOIS TELECOMMUNICATIONS ACCESS CORPORATION

Name of Applicant: Broadview Networks, Inc.

Address of Applicant: 45-18 Court Square, Suite 403

Long Island City, NY 11101

Name, title, address, and telephone number of responsible individual with applicant to whom communications should be sent:

Scott Matukas

VP Administration

45-18 Court Square, Suite 403, Long Island City, NY 11101

800-260-8765

The applicant hereby applies for membership in the Illinois Telecommunications Access Corporation ("Corporation"), an Illinois not-for-profit corporation. Upon the applicant's execution of this application and submission of this application to the corporation, the corporation will accept and execute this application in the space provided below, and will return an executed copy of this application to the applicant.

In support of its application for membership, the applicant states and agrees as follows:

1. Applicant is a telecommunications carrier providing local service as defined in the Illinois Public Utilities Act ("PUA").
2. Applicant agrees that it will be subject to, and have those rights and obligations set forth in, the By-laws of the corporation as adopted by the corporation's board of directors and approved by the Illinois Commerce Commission ("Commission"), as now in effect and as amended from time to time in the future.
3. Applicant acknowledges that the corporation is subject to the continuing supervision of and regulation by the Commission, and that the rights and obligations of each member may change as a result of this supervision and regulation.
4. To the extent from time to time approved by the Commission, the applicant delegates to the corporation authority to make such actions on behalf of the applicant as shall be necessary for the applicant to comply with its obligations under Section 13-703 of the PUA.
5. Applicant agrees to pay such portions of the monies collected by or on behalf of the applicant under and pursuant to Section 13-703 of the PUA (including income therefrom and appreciation thereon) as the Commission may from time to time order or as the corporation may from time to time request in accordance with orders of the Commission.

Dated: 4/14/00

By: Scott M. Matukas

Title: VP Administration

SPACE BELOW TO BE COMPLETED BY ITAC ONLY

Acceptance: The above application and agreement is hereby accepted and the applicant is hereby accepted for membership in the corporation.

Date: _____

Illinois Telecommunications Access Corporation

By: _____

Title: _____

MEMBERSHIP APPLICATION AND AGREEMENT
UNIVERSAL TELEPHONE ASSISTANCE CORPORATION

Name of Applicant: Broadview Networks, Inc.

Address of Applicant: 45-18 Court Square, Suite 403

Long Island City, NY 11101

Name, title, address, and telephone number of responsible individual with applicant to whom communications should be sent:

Scott Matukas

VP Administration

45-18 Court Square, Suite 403; Long Island City, NY 11101

800-260-8765

The applicant hereby applies for membership in the Universal Telephone Assistance Corporation ("Corporation"), an Illinois not-for-profit corporation. Upon the applicant's execution of this application and submission of this application to the Corporation, the Corporation will accept and execute this application in the space provided below, and will return an executed copy of this application to the applicant.

In support of its application for membership, the applicant states and agrees as follows:

1. Applicant is a telecommunications carrier providing local service as defined in the Illinois Public Utilities Act ("PUA").
2. Applicant agrees that it will be subject to, and have those rights and obligations set forth in, the By-laws of the corporation as adopted by the Corporation's board of directors and approved by the Illinois Commerce Commission ("Commission"), as now in effect and as amended from time to time in the future.
3. Applicant acknowledges that the corporation is subject to the continuing supervision of and regulation by the Commission, and that the rights and obligations of each member may change as a result of this supervision and regulation.
4. To the extent from time to time approved by the Commission, the applicant delegates to the corporation authority to make such actions on behalf of the applicant as shall be necessary for the applicant to comply with its obligations under Section 13-301.1 of the PUA.
5. Applicant agrees to pay such portions of the monies collected by or on behalf of the applicant under and pursuant to Section 13-301.1 of the PUA (including income therefrom and appreciation thereon) as the Commission may from time to time order or as the corporation may from time to time request in accordance with orders of the Commission.

Dated: 4/14/00

By: Scott Matukas

Title: VP Administration

SPACE BELOW TO BE COMPLETED BY UTAC ONLY

Acceptance: The above application and agreement is hereby accepted and the applicant is hereby accepted for membership in the corporation.

Date: _____

Universal Telephone Assistance Corporation

By: _____

Title: _____

Attachment E - Financial Information

See Attached

Attachment F - Network Information

Integrated network architecture

We provide services to our customers over a single integrated network that supports local, long distance and high-speed data and Internet services. Our integrated network architecture includes customer premises equipment, unbundled network elements, collocations, switches, routers, operating and application software and interoffice and long-distance transport facilities.

It is our strategy to own the intelligent and value-added components of our network such as our hybrid voice and data switches while we lease readily available transport facilities such as unbundled ILEC loops and interoffice and long haul transmission facilities. We are in the process of deploying DSL technology to increase the data carrying capacity and bandwidth of the unbundled loops, transforming them narrowband to broadband. This will enable us to provide a range of new services, including various high-speed data services and Internet capabilities.

Accessing the customer through unbundled network elements

Our integrated network begins with our customers. We connect them by leasing the ILEC's ubiquitous copper loops that run into homes and offices. These loops are known as unbundled network element loops, or UNE-Ls. Through our processes, we are able to rapidly move the UNE-Ls from the LEC's switch to our switch using our collocation equipment.

Collocation facilities

Each UNE-L we deploy is a direct connection from our customer to one of our collocation sites located in the central office of the ILEC. Within each collocation site, we have deployed or are in the process of deploying both Nortel digital access nodes to support switched voice services and digital subscriber line access multiplexers to support our high-speed DSL service offerings. This collocation architecture supports integrated data and voice services and can be extended to support emerging applications as customer requirements dictate. We use Nortel Network's AccessNode equipment and we are an inaugural user of Nortel's Universal Edge 9000 product line, which provides both voice and data access and can be integrated with virtually any manufacturer's digital switch. Since this equipment handles both traditional voice services and newer DSL-type services, we are able to provide and administer these services to our customers without having to incur the cost of installing separate systems.

Switching platform

Our switching platform consists of Nortel DMS500 hybrid local and long distance switches.

Each Nortel DMS500 switch acts as a centralized switching node connected to multiple collocations and may service one or more metropolitan areas.

Compared to the more traditional network architecture, which requires a switch dedicated to each metropolitan area, we believe our network architecture results in a more efficient use of capital. In addition, each of these centralized switching nodes serves as an interconnection and concentration point between our DSL and data network and the public Internet.

In conjunction with our deployment of DSL-based services, we are also installing high-speed data switches known as ATM switches, which support multiservice traffic switching and routing in each of our switching offices.

Transport facilities

We lease the broadband facilities that connect our collocations and switches from both incumbent and competitive carriers at the DS3, OC-3, OC-12 and OC-48 levels.

Signaling System 7

The SS-7 signaling system reduces the time it takes to connect a call, thereby enhancing overall network efficiencies and increased customer satisfaction. It enables us to offer true number portability, which makes it easier to migrate customers to our network and permits the use of all calling features. It also enables us to offer advanced customer features like Enhanced 800 service and Caller ID With Name.

Network management and operational support

We monitor our network from our New York City switching center and plan to build a national Network Management Center beginning in the first half of 2000. This center is intended to have multiple functions. It will provide continuous surveillance of all switching, collocation equipment and high-speed data services equipment to ensure proper and efficient network function. When a network alarm is received from any piece of equipment within our network, the center will respond to isolate the cause and either switch to backup equipment or dispatch technical assistance to the site. It is our goal to remedy any network problems before they affect a customer's service. The Network Management Center will also be responsible for quality acceptance of all new network locations being activated and for services being turned-up for customers. We expect our Network Management Center to become operational in the third quarter of 2000.

Internet services

We construct, own and operate those elements of our Internet network that contain the intelligent components and offer enhanced services to our customers. Our data centers contain the various servers that provide the security, user authentication, e-mail, domain-name translations, accounting, Internet access, routing, web hosting and other functions that are fundamental to serving high-speed and dial-up Internet customers.

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Broadview Networks, Inc. :
Application for a certificate of :
local and interexchange authority :
to operate as a reseller and facilities :
based carrier of telecommunications :
services throughout the :
State of Illinois. :

**PREFILED DIRECT TESTIMONY
OF
STEVE ANDREASSI**

1. Please state your name and business address.

**Steve Andreassi, 45-18 Court Square, Suite 403, Long Island City, NY
11101.**

2. By whom are you employed, and what is your position?

I am the Managing Director Regulatory Affairs of Broadview Networks, Inc.

3. Please provide the name, address, telephone, and fax number of the person at your company that will be responsible for working with the Commission's Consumer Services Division for complaint resolution?

**Steven C. Andreassi
Broadview Networks, Inc.
45-18 Court Square, Suite 300
Long Island City, NY 11101
Phone: (718) 707-6823
Fax (718) 706-9575**

4. Is your company seeking any waivers or variances of certain Commission rules and regulations in this proceeding that pertain to local exchange service? Please provide evidence as to why your company is seeking any waiver or variance.

Yes. The company is seeking waivers of Part 710 (Uniform System of Accounts), Part 735.180 (directories), Part 735 (directories), and 83 Illinois Administrative Code Part 250 (books and records). USOA would warrant a departure from the company's basic accounting system which utilizes GAAP. Customers will be listed in the ILEC's directories. The company's principal office is located in the State of New York, and therefore, it would be burdensome for the company's books and records to be kept in the State of Illinois.

5. Will your company comply with 83 Illinois Administrative Code Part 772, Pay-Per-Call Services, including Part 772.55(a)(1), Billing and Part 772.100(d) Notices?

No. The company will block such calls.

6. Will your company comply with 83 Illinois Administrative Code Part 705, Preservation of Records of Telephone Utilities?

Yes.

7. Will your company abide by 83 Illinois Administrative Code Part 735, "Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Telephone Utilities in the State of Illinois"?

Yes, except to the extent any waivers are granted, specifically Part 735.10 (local exchange service) and Part 735 (interexchange service).

8. Who will provide customer repair service for your company?

Upon initiation of service, Broadview Networks will contract with a 3rd party vendor or the incumbent LEC to perform customer repair services.

9. How many people does the company employ?

Approximately 450.

10. Will your company meet the requirements as they pertain to the Telephone Assistance Programs imposed by Sections 13.301 and 13.301.1 of the Illinois Public Utilities Act and 83 Illinois Administrative Code Part 757?

Yes.

11. Will your company solicit, collect, and remit the voluntary contributions from its telephone subscribers to support the Telephone Assistance Programs?

Yes.

12. Does your company plan on filing to become an Eligible Telecommunications Carrier?

Yes.

13. Does the company realize that it will not be able to receive any of the federal reimbursements for the Lifeline and Link Up Programs if it is not an eligible carrier?

Yes.

14. Will your company offer all of the waivers associated with the Universal Telephone Service Assistance Programs (UTSAP)?

Yes.

15. Will your company abide by the regulations as prescribed in 83 Illinois Administrative Code Part 755, "Telecommunications Access for Persons with Disabilities," 83 Illinois Administrative Code Part 756 "Telecommunications Relay Service," and Sections 13-703 of the Illinois Public Utilities Act?

Yes.

16. Will the company's billing system be able to distinguish between resale and facilities based service for the collection of the ITAC line charge?

Yes.

17. Has your company signed and return the Universal Telephone Assistance Corporation ("UTAC") and the Illinois Telecommunications Access Corporation ("ITAC") to Commission staff?

Yes.

18. Please describe your company's internal process for complaint resolution, the escalation process within your company, and when a customer is notified that they may contact the Illinois Commerce Commission for assistance.

All formal customer complaints are handled by a single contact within Broadview Networks. This individual, the Regulatory Administrator, is on file with the public service commissions and is available for dialogue with customers and commission staff. Escalation is done through the Regulatory Administrator upwards to the Director of Customer Service, the Executive Vice President of Customer Relationship Management and finally, to the Chief Executive Officer.

Informal complaints (e.g. calls to customer service representatives) are first handled by the individual representative. Escalation is then to the reps supervisor and then to the Director of Customer Service. The rest of the escalation is as listed above.

Customers are instructed via their monthly bill that they may contact the ICC or other relevant Commission. Customers are provided with the Commission's phone number and address. Additionally, at any point during the complaint, the Broadview Networks representatives are instructed to inform the customer that contacting the Commission is an option that they may pursue.

19. Will the company file tariffs for all services and charges associated with providing local telephone service.

Yes.

20. How does your company plan to solicit customers once it begins to provide local service.

Broadview will use a combination of mass media (television, radio, print) as well as telemarketing and direct sales channels.

21. Will your company abide by federal and state slamming laws?

Yes.

22. Has your company written guidelines to prevent the unauthorized slamming of local exchange customers?

The company is currently formalizing procedures to guard against “slamming” at all levels. In particular, company policy against “slamming” is one of the pillars of training made mandatory to all new sales individuals.

23. Has your company provided service under any other name?

Until recently, our company was known as “Community Networks” in New York State. All operating entities are now known as “Broadview Networks”.

24. Have any complaints or judgements been levied against the company? (Instate, out-of-state, or FCC).

Yes. Broadview has received complaints in New York State and the FCC.

25. Please provide the name, address, telephone and fax number of the 911 contact person for your company.

**Rebecca Sommi
Broadview Networks, Inc.
45-18 Court Square, Suite 300
Long Island City, NY 11001
(718) 707-8800**

26. Will your company ensure that 911 traffic is handled in accordance with the 83 Illinois Administrative Code Part 725 and the Emergency Telephone System Act?

Yes.

27. Will your company contact and establish a working relationship with the 911 systems when you begin to provide local telephone service?

Yes.

28. Will your company coordinate with the incumbent LEC(s) and local 911 systems to provide transparent service for your local exchange customers?

Yes.

29. Who will be responsible for building and maintaining the 911 database for your local exchange customers?

Broadview Networks will work with the incumbent local exchange carrier to build and maintain its portion of the 911 database.

30. How often will your company update the 911 database with customer information?

Daily.

31. Will your company's billing system have the ability to distinguish between facilities based and resale for the collection of the 911 surcharge?

Yes.

32. Does your company have procedures for the transitioning of the 911 surcharge collection and disbursement to the local 911 system?

Yes.

33. Will your company's proposal require any network changes to any of the 911 systems?

No.

34. Will your company be able to meet the requirements specified under Part 725.500(o) and 725.620(b) for the installation of call boxes?

Yes.

35. Does your company plan to file for a waiver of Part 725.500(o) and 725.620(b) in the future?

The company may file for such a waiver when its becomes facilities based.

36. What circumstances warrant a departure from the prescribed Uniform System of Accounts ("USOA")?

USOA would warrant a departure from the company's basic accounting system which utilizes GAAP.

37. Will records be maintained in accordance with Generally Accepted Accounting Principles ("GAAP")?

Yes.

38. Will applicants accounting system provide an equivalent portrayal of operating results and financial condition as the USOA?

Yes.

39. Will applicants accounting procedures maintain or improve uniformity in substantive results as among similar telecommunications companies?

Yes.

40. Will applicant maintain its records in sufficient detail to facilitate the calculation of all applicable taxes?

Yes.

41. Does the accounting system currently in use by applicant provide sufficiently detailed data for the preparation of Illinois Gross Receipts Tax returns? What specific accounts or sub-accounts provide this data?

Yes. Broadview Networks currently bills Gross Receipts Tax in New York via DPC, inc. DPC provides tax ratable to Broadview Networks for the purpose of billing, among other things, GRT. Broadview has never had an issue regarding GRT in New York and plans to use DPC in all states in which it operates. Broadview believes DPC to be in full compliance with tax laws in all states.

42. If a waiver of Part 710 is granted, will applicant provide annual audited statements or all periods subsequent to granting of the waiver?

Yes.

43. Does applicant agree that the requested waiver of Part 710 will not excuse it from compliance with future Commission rules or amendments to Part 710 otherwise applicable to the Company?

Yes.