

NOWALSKY, BRONSTON & GOTHARD

A Professional Limited Liability Company
Attorneys at Law

Leon L. Nowalsky
Benjamin W. Bronston
Edward P. Gothard

3500 North Causeway Boulevard
Suite 1442
Metairie, Louisiana 70002
Telephone: (504) 832-1984
Facsimile: (504) 831-0892

Monica Borne Haab
EllenAnn G. Sands
Bruce C. Betzer
Philip R. Adams, Jr.

November 25, 2002

Via Overnight Delivery

Mr. Thomas M. Dorman, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

RE: Epixtar Communications Corp.

Dear Mr. Dorman:

Enclosed herewith for filing please find an original and four (4) copies of the Information filing and proposed tariff of Epixtar Communications Corp. for authority to operate as a reseller of long distance services in the State of Kentucky.

Please acknowledge receipt of this filing by date stamping and returning the additional copy of this letter in the self-addressed envelope provided.

Thank you for your assistance. If you should have any questions regarding the application, please do not hesitate to call.

Sincerely,



Monica Borne Haab

Enclosure

RECEIVED

NOV 26 2002

PUBLIC SERVICE
COMMISSION

05166400
0510

**Before the
PUBLIC SERVICE COMMISSION OF KENTUCKY**

IN THE MATTER OF THE INFORMATIONAL FILING)
OF EPIXTAR COMMUNICATIONS CORP. FOR AUTHORITY)
TO AUTHORITY TO OPERATE AS A LONG DISTANCE) No. _____
RESELLER THROUGHOUT THE STATE OF KENTUCKY)

Epixtar Communications Corp. hereby submits the following information in accordance with the provisions of Administrative Case No. 359, and its proposed tariff in accordance with 807 KAR 5:011.

1. The name, post office address, telephone and fax number of the applicant company are:

Epixtar Communications Corp.
11900 Bixcayne Blvd.
Suite 262
Miami, Florida 33181
Ph. (305) 503-8600
Fx. (305) 503-8610
Toll Free: 1-800-511-2012

2. A copy of the Company's Articles of Incorporation and Certificate of Authority are attached hereto as **Exhibits A and B**.

3. The name, street address, telephone and fax numbers of the responsible contact person(s) for customer complaints and regulatory issues:

Customer Service and Regulatory Contact:


William D. Rhodes, President
11900 Biscayne Blvd.
Suite 262
Miami, Florida 33181
Ph. (305) 503-8600
Fx. (305) 503-8610
E-Mail: wrhodes@gahimail.com

1. A notarized statement that the company has not provided or collected for intrastate service in Kentucky prior to filing its tariff is attached as **Exhibit C**.
2. The company does not seek authority to provide operator assisted services to traffic aggregators as defined in Administrative Case No. 330.
3. The company's proposed tariff is attached as **Exhibits D**.
4. The Company will bill customers through a third party billing agent. No sample bill is available.

WHEREFORE, Epixtar Communications Corp. requests that the Public Service Commission of the Commonwealth of Kentucky grant Applicant authority to engage in the resale of interexchange telecommunications services to the public in accordance with applicable laws currently in effect or hereinafter enacted by the Commission.

Respectfully submitted this 25th day of November, 2002

Epixtar Communications Corp.

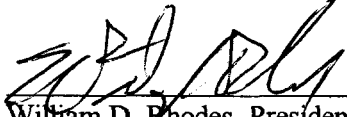
By: 
Monica Borne Haab
Nowalsky, Bronston & Gothard
3500 N. Causeway Blvd., Suite 1442
Metairie, Louisiana 70002
Ph. (504) 832-1984
Fx. (504) 831-0892
E-Mail: mhaab@nbglaw.com

VERIFICATION OF APPLICANT

STATE OF _____)
) ss:
COUNTY OF _____)

I, William D. Rhodes being first duly sworn, state that I am President of Epixtar Communications Corp. the Applicant herein; that I have reviewed the matters set forth in the Application and Exhibits and the statements contained therein are true to the best of my knowledge, except as to those matters which are stated on information or belief, and as to those matters I believe them to be true.

Epixtar Communications Corp.

By: 
William D. Rhodes, President

Sworn to and subscribed before me this 17th day of Oct., 2002



Notary Public

My Commission Expires:


 Alicia Vitre
My Commission DD046641
Expires July 29, 2005

EXHIBIT A

ARTICLES OF INCORPORATION

ARTICLES OF INCORPORATION

FILED

02 JUN 25 AM 8:48

SECRETARY OF STATE
TALLAHASSEE FLORIDA

The undersigned incorporator, for the purpose of forming a corporation under the Florida Business Corporation Act, hereby adopts the following Articles of Incorporation.

ARTICLE I NAME

The name of the corporation shall be:
EPIXTAR COMMUNICATIONS CORP.

ARTICLE II PRINCIPAL OFFICE

The principal place of business and mailing address of this corporation shall be:
**11900 BISCAYNE BOULEVARD
SUITE # 262
MIAMI, FLORIDA 33181**

ARTICLE III PURPOSE

The Corporation is organized to engage in all lawful acts or activities and to transact any and all lawful business for which corporations may be incorporated under the laws of the State of Florida, including: to purchase, lease or otherwise acquire, own, hold, improve or dispose of real or personal property.

ARTICLE IV SHARES

The number of shares that this corporation is authorized to have is:
ONE THOUSAND (1000)

ARTICLE V OFFICERS AND DIRECTORS

President: **WILLIAM RHODES, JR.**
**ADDRESS: 11900 BISCAYNE BOULEVARD
SUITE # 262
MIAMI, FLORIDA 33181**

Secretary: **JASON MYATT**
**ADDRESS: 11900 BISCAYNE BOULEVARD
SUITE # 262
MIAMI, FLORIDA 33181**

ARTICLE VI INITIAL REGISTERED AGENT AND STREET ADDRESS

The name and address of the initial registered agent is:

DEBORAH GAMBONE, ESQ.
11900 BISCAYNE BOULEVARD
SUITE # 262
MIAMI, FLORIDA 33181

FILED

02 JUN 25 AM 8:48

SECRETARY OF STATE
TALLAHASSEE FLORIDA

ARTICLE VII INCORPORATOR

The name and address of the incorporator of this corporation is:

DEBORAH GAMBONE, ESQ.
11900 BISCAYNE BOULEVARD
SUITE # 262
MIAMI, FLORIDA 33181

.....

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Deborah Gambone
Deborah Gambone, Esq., Registered Agent

6/24/02
Date

The undersigned incorporator has executed these Articles of Incorporation on the date so indicated.

Deborah R. Gambone
Deborah R. Gambone, Esq.

6/24/02
Date

EXHIBIT B

KENTUCKY CERTIFICATE OF AUTHORITY

COMMONWEALTH OF KENTUCKY
JOHN Y. BROWN III
SECRETARY OF STATE



0546365.09 P.Blevins P101
John Y. Brown III
Secretary of State
Received and Filed
10/15/2002 01:20 PM
Fee Receipt: \$90.00

APPLICATION FOR CERTIFICATE OF AUTHORITY

Pursuant to the provisions of KRS Chapter 271B, 273 or 274, the undersigned hereby applies for authority to transact business in Kentucky on behalf of the corporation named below and for that purpose submits the following statements:

- The corporation is a business corporation (KRS 271B). a nonprofit corporation (KRS 273).
 a professional service corporation (KRS 274).
- The name of the corporation is
Epixtar Communications Corp.
- The name of the corporation to be used in Kentucky is
Epixtar Communications Corp.
(If "real name" is unavailable for use)
- Florida is the state or country under whose law the corporation is incorporated.
- 6/25/02 is the date of incorporation and the period of duration is perpetual
- The street address of the corporation's principal office is
11900 Biscayne Blvd., Suite 262, Miami, Florida 33181
- The street address of the corporation's registered office in Kentucky is

Street	City	State	Zip Code
<u>400 West Market Street, Suite 1800</u>	<u>Louisville</u>	<u>KY</u>	<u>40202</u>

and the name of the registered agent at that office is
National Registered Agents, Inc.
- The names and usual business addresses of the corporation's current officers and directors are as follows:
President William D. Rhodes, Jr. 11900 Biscayne Blvd., Suite 262, Miami, Florida 33181
Vice President _____
Secretary Jason Myatt 11900 Biscayne Blvd., Suite 262, Miami, Florida 33181
Treasurer _____
Directors William D. Rhodes, Jr. 11900 Biscayne Blvd., Suite 262, Miami, Florida 33181
(Attach a continuation sheet, if necessary)
- If a professional service corporation, all the individual shareholders, not less than one half of the directors, and all of the officers other than the secretary and treasurer are licensed in one or more states or territories of the United States or District of Columbia to render a professional service described in the statement of purposes of the corporation.
- A certificate of existence duly authenticated by the Secretary of State accompanies this application.
- This application will be effective upon filing, unless a delayed effective date and/or time is specified:
(Delayed effective date and/or time)

[Signature]
Signature
William D. Rhodes, Jr., President
Type or Print Name & Title
Date: September 23, 2002

I, National Registered Agents, Inc.
Type or print name of registered agent, consent to serve as the registered agent on behalf of the corporation.
By: National Registered Agents, Inc.
Signature of Registered Agent
see attached
Type or Print Name & Title

COMMONWEALTH OF KENTUCKY
JOHN Y. BROWN III
SECRETARY OF STATE



STATEMENT OF CONSENT OF REGISTERED AGENT

Pursuant to the provisions of KRS Chapter 271B, 273, 275 or 362, the undersigned hereby consents to act as registered agent on behalf of the business entity named below and for that purpose submits the following statements:

1. The business entity is a corporation (KRS 271B or KRS 273)
 a limited liability company (KRS 275)
 a limited partnership (KRS 362)
2. The name of the business entity is
Epistar Communications Corp.
3. The state or country of incorporation, organization or formation is Florida
4. The name of the initial registered agent is
National Registered Agents, Inc.
5. The street address of the registered office address in Kentucky is

<u>400 West Market Street, Suite 1800</u>	<u>Louisville</u>	<u>KY</u>	<u>40202</u>
<small>Street</small>	<small>City</small>	<small>State</small>	<small>Zip Code</small>

Charles A. Coyle

Signature of registered agent
Charles A. Coyle - Asst. Secretary
For National Registered Agents, Inc.

Type or Print Name & Title, if applicable

Date: 10-8, 2002

State of Florida



Department of State

I certify from the records of this office that EPIXTAR COMMUNICATIONS CORP., is a corporation organized under the laws of the State of Florida, filed on June 25, 2002.

The document number of this corporation is P02000070219.

I further certify that said corporation has paid all fees due this office through December 31, 2002, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Second day of October, 2002



CR2EO22 (7-02)

Jim Smith

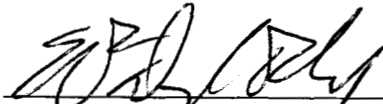
Jim Smith
Secretary of State

EXHIBIT C

NOTARIZED STATEMENT


AFFIDAVIT

I, William D. Rhodes, President of Epixtar Communications Corp. do hereby certify that the Company has not provided or collected for intrastate service in Kentucky prior to filing of this application and tariff.



William D. Rhodes, President
Epixtar Communications Corp.

Sworn to and subscribed before me
this 11th day of Oct.
2002.



Notary Public

My Commission Expires:

EXHIBIT D

PROPOSED INTEREXCHANGE TARIFF