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Duluth, Georgia 30097

Also admitted in New York
and Maryland

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

January 19, 2000

VIA FEDERAL EXPRESS

Ms. Doreen Trout
Secretary Bureau
Commonwealth of Pennsylvania
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
PHONE: (717) 787-4222

A-310872

RECEIVED

JAN 19 2000

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: MVX.COM Communications, Inc. - ~~Docket M-00960799~~

Enclosed please find for filing an original and three (3) copies of Revised Page 3 of MVX.COM Communications, Inc.'s Application in Docket M-00960799 and Revised Certificate of Service Confirmation adding GTE North, Inc., Bell-Atlantic & Sprint/United. All others on the list were previously served a true copy of the application on October 5, 1999.

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.

Please call me at (770) 232-9200 if I can provide any further information.

Sincerely,



Anthony Cooke
Director of Government Affairs for
Lance J.M. Steinhart
Attorney for MVX.COM Communications, Inc.

Enclosures

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8. APPLICANT'S PRESENT OPERATIONS:

The Applicant is not presently doing business in Pennsylvania as a public utility.

9. APPLICANT'S PROPOSED OPERATIONS:

The Applicant proposes to operate as a:

- Reseller of Toll Services, e.g., MTS, 1+, 800 & 888, Out WATS, Travel Cards, Debit Cards, etc.
- Competitive Access Provider, e.g., dedicated point-to-point service or IXC transporter.
- Interexchange Carrier, e.g., providing toll services as a facilities-based carrier.
- Competitive Local Exchange Carrier, e.g., providing local exchange service as a facilities-based carrier or as a reseller.
- Other. (Identify the nature of public utility service to be rendered.)

The Applicant should file a separate application for each category of operation. If the Applicant files multiple applications simultaneously, the applications should cross reference each other. At the time of filing, the Applicant may petition the Commission, pursuant to Section 5.43 of the Commission's Regulations, 52 Pa. Code §5.43, to waive the provisions of Sections 1.34 and 1.43, 52 Pa. Code §§1.34 & 1.43, which require a separate application fee for each application (i.e., multiple fees), and to seek authorization for the payment of one application fee.

10. PROPOSED SERVICES: Describe the services which the Applicant proposes to offer.

Applicant proposes to provide competitive local exchange services on a resale basis.

11. SERVICE AREA: Describe the geographic service area in which the Applicant proposes to offer services.

Applicant intends to provide service in the Bell Atlantic, GTE North, and Sprint/United territory.

DOCKETED

JAN 28 2000

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of Section 1.54 (relating to service by a participant).

Dated this 12th day of JANUARY, 2000.


Lance J.M. Steinhart
Counsel for
MVX.COM Communications, Inc.

Irwin A. Popowsky
Consumer Advocate
1425 Strawberry Square
Harrisburg, Pennsylvania 17101

Bernard A. Ryan, Jr.
Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, Pennsylvania 17101

Office of the Attorney General
Bureau of Consumer Protection
Strawberry Square, 14th Floor
Harrisburg, Pennsylvania 17120

One Copy to each of the following:

Office of Trial Staff
Office of Special Assistants
Bureau of Consumer Services
Bureau of Fixed Utility Services

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17105-3265

John O. Dudley *VIA US MAIL 1-12-2000*
Regional Director, External Affairs
GTE North, Inc.
P.O. box 12065
Harrisburg, PA 17108

Julia Conover, Esq. *VIA US MAIL 1-12-2000*
Bell-Atlantic/ Pennsylvania
1717 Arch Street, Floor 32N
Philadelphia, Pennsylvania 19103

Sprint/United *VIA US MAIL 1-12-2000*
John G. Short, Esq.
1201 Walnut Botton Road
P.O.Box 1201
Carlisle, PA 17013

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DOCKETED
JAN 28 2000

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of)
MVX.COM Communications, Inc.,)
for approval to offer,)
render, furnish, or supply) App. Docket No. _____
telecommunications services as)
a Reseller of Local Exchange Services)
Carrier to the public in the)
Commonwealth of Pennsylvania)

To the Pennsylvania Public Utility Commission:

1. IDENTITY OF THE APPLICANT: The names, address, telephone number, and FAX number of the Applicant are:

MVX.COM Communications, Inc.
100 Rowland Way, Suite 145
Novato, California 94945
(415) 893-7180 (Telephone)
(415) 893-0569 (Facsimile)

Please identify any predecessor(s) of the Applicant and provide other names under which the Applicant has operated within the preceding five (5) years, including name, address, and telephone number.

MVX Communications LLC

2. CONTACT PERSON: The name, title, address, telephone number, and FAX number of the person to whom questions about this Application should be addressed are:

Lance J.M. Steinhart
Attorney at Law
6455 East Johns Crossing
Suite 285
Duluth, Georgia 30097
770/232-9200 (Tel)
770/232-9208 (Fax)

3. FICTITIOUS NAME:

The Applicant will not be using a fictitious name.

4. BUSINESS ENTITY and DEPARTMENT OF STATE FILINGS:

The Applicant is a:

Domestic corporation (none)

foreign corporation (15 Pa.C.S. §4124)

Domestic limited liability company (15 Pa.C.S. §8913)

foreign limited liability company (15 Pa.C.S. §8981)

Provide proof of compliance with appropriate Department of State filing requirements as indicated above. Additionally, provide a copy of the Applicant's Articles of Incorporation.

The Applicant has attached a copy of the Department of State as Exhibit A. A copy of Applicant's Articles of Incorporation is attached hereto as Exhibit B.

Give name and address of officers.

Attached hereto as Exhibit C.

The Applicant is incorporated in the state of California.

5. AFFILIATES AND PREDECESSORS WITHIN PENNSYLVANIA:

The Applicant has no affiliates doing or predecessors which have done business in Pennsylvania.

6. AFFILIATES AND PREDECESSORS RENDERING PUBLIC UTILITY SERVICE OUTSIDE PENNSYLVANIA: (select and complete appropriate box)

The Applicant has no affiliates rendering or predecessors which rendered public utility service outside Pennsylvania.

7. TRANSACTIONS WITH AFFILIATES:
(select and complete appropriate box)

The Applicant has no affiliates providing service or receiving services from the Applicant.

8. APPLICANT'S PRESENT OPERATIONS:

The Applicant is not presently doing business in Pennsylvania as a public utility.

9. APPLICANT'S PROPOSED OPERATIONS:

The Applicant proposes to operate as a:

- Reseller of Toll Services, e.g., MTS, 1+, 800 & 888, Out WATS, Travel Cards, Debit Cards, etc.
- Competitive Access Provider, e.g., dedicated point-to-point service or IXC transporter.
- Interexchange Carrier, e.g., providing toll services as a facilities-based carrier.
- Competitive Local Exchange Carrier, e.g., providing local exchange service as a facilities-based carrier or as a reseller.
- Other. (Identify the nature of public utility service to be rendered.)

The Applicant should file a separate application for each category of operation. If the Applicant files multiple applications simultaneously, the applications should cross reference each other. At the time of filing, the Applicant may petition the Commission, pursuant to Section 5.43 of the Commission's Regulations, 52 Pa. Code 5.43, to waive the provisions of Sections 1.34 and 1.43, 52 Pa. Code 1.34 & 1.43, which require a separate application fee for each application (i.e., multiple fees), and to seek authorization for the payment of one application fee.

10. PROPOSED SERVICES: Describe the services which the Applicant proposes to offer.

Applicant proposes to provide competitive local exchange services on a resale basis.

11. SERVICE AREA: Describe the geographic service area in which the Applicant proposes to offer services.

Applicant intends to provide service statewide.

Additionally, the Applicant asserts that it will not be a rural

telephone company. State which provision of the Federal Telecommunication Act of 1996 is applicable to the Applicant's status if the Applicant is a rural telephone company.

Applicant hereby asserts that it will not be a rural telephone company.

12. MARKET: Describe the customer base to which the Applicant proposes to market its services.

Applicant proposes to market its services to residential customers and businesses.

13. INITIAL TARIFF: Attach to the Application a proposed Initial Tariff setting forth the rates, rules, and regulations of the Applicant. The tariff shall state on its cover sheet the nature of the Applicant's operations as identified in Item 9, above.

Attached as Exhibit D.

14. FINANCIAL: Provide a general description of the Applicant's capitalization and, if applicable, its corporate stock structure.

The Company is authorized to issue 100,000 shares of common stock at no par value per share. Applicant's parent company, MVX.COM, owns 100% of applicant's stock.

Attach to the Application a tentative operating balance sheet and a projected income statement for the first year of operation within the Commonwealth of Pennsylvania.

See Exhibit E attached hereto.

The name, title, address, telephone number, and FAX number of the Applicant's custodian for its accounting records and supporting documentation are:

Kenneth Holmes, CFO
MVX.COM Communications, Inc.
100 Rowland Way, Suite 145
Novato, CA 94945
(415) 893-7180 (Telephone)
(415) 893-0569 (Facsimile)

The Applicant's accounting records and supporting documentation are, or will be, maintained at:

Same address as above.

15. START DATE: The Applicant proposes to begin offering services on or before the end of 1999 (approximate date). Applicant must enter into a resale/interconnection agreement with the incumbent local exchange providers.
16. FURTHER DEVELOPMENTS: Attach to the Application a statement of further developments, planned or contemplated, to which the present Application is preliminary or with which it forms a part, together with a reference to any related proceeding before the Commission.

N/A

The Applicant is under a continuing obligation to amend this Application if any matter asserted herein changes during the pendency of the Application or while the Applicant is providing public utility service within the Commonwealth.

17. NOTICE: Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, serve a copy of the signed and verified Application with attachments on the following:

Irwin A. Popowsky	Office of Trial Staff -- 1 copy
Consumer Advocate	Office of Special Assis. -- 1 copy
1425 Strawberry Square	Bureau of Consumer Ser. -- 1 copy
Harrisburg, PA 17120	Bureau of Fixed Util. Ser. -- 1
copy	

Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105

Bernard A. Ryan, Jr.	Office of the Attorney General
Small Business Advocate	Bureau of Consumer Protection
Commerce Building, Suite 1102	Strawberry Square, 14th Floor
300 North Second Street	Harrisburg, PA 17120
Harrisburg, PA 17101	

Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §1.57 and 1.58, attach Proof of Service of the Application and attachments upon the above named parties. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code § 5.14.

18. ATTORNEY: If applicable, the name, address, telephone number, and FAX number of the Applicant's attorney are:

For purposes of this application:

Lance J.M. Steinhart
Attorney at Law
6455 East Johns Crossing
Suite 285
Duluth, Georgia 30097
770/232-9200 (Tel)
770/232-9208 (Fax)

19. AFFIDAVIT: Attach to the Application an affidavit as follows:

AFFIDAVIT

State of CALIFORNIA :

County of SAN MATEO : SS.

Edward A. Brinskele, Affiant, being duly sworn according to law, deposes and says that:

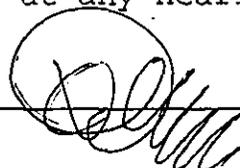
He is the President of MVX.COM Communications, Inc.

That he is authorized to and does make this affidavit for said corporation;

That MVX.COM Communications, Inc., the Applicant herein, acknowledges that it may have an obligation to serve or to continue to serve the public by virtue of the Applicant commencing the rendering of service pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; with the Federal Telecommunications Act of 1996, signed February 6, 1996; or with other applicable statutes or regulations;

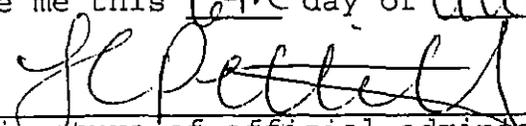
That MVX.COM Communications, Inc., the Applicant herein, asserts that it possesses the requisite technical, managerial, and financial fitness to render public utility service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That the facts above set forth are true and correct to the best of his knowledge and that he expects said corporation to be able to prove the same at any hearing hereof.



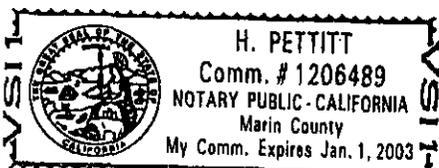
Signature

Sworn and subscribed before me this 6th day of August, 1999.



Signature of official administering oath

My commission expires 11/1999.



20. Federal Telecommunications Act of 1996: State whether the Applicant claims a particular status pursuant to the federal Telecommunications Act of 1996. Provide supporting facts.

N/A

21. COMPLIANCE: State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application has been convicted of a crime involving fraud or similar activity. Identify all proceedings, limited to proceedings dealing with business operations, in the last five (5) years, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent. Provide a statement as to the resolution or present status of any such proceedings.

Applicant, nor any person identified in this Application has been convicted of a crime involving fraud or any similar activity.

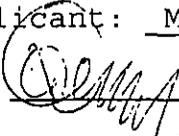
22. CONTACT FOR RESOLVING COMPLAINTS: Provide the name, address, telephone number, and FAX number for the person and an Alternate person responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints and queries filed with the Public Utility Commission or other agencies.

Jeffrey G. Richards, Secretary
MVX.COM Communications, Inc.
100 Rowland Way, Suite 145
Novato, CA 94945
(415) 893-7180 (Telephone)
(415) 893-0569 (Facsimile)

23. FALSIFICATION: The Applicant understands that the making of false statement herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa.C.S. §§4903 and 4904, relating to perjury and falsification in official matters.

24. CESSATION: The Applicant understands that if it plans to cease doing business within the Commonwealth of Pennsylvania, it is under a duty to request authority from the Commission for permission prior to ceasing business.

Applicant: MVX.COM Communications, Inc.

By: 

Title: President & CEO

VERIFICATION

State of California

County of San Mateo

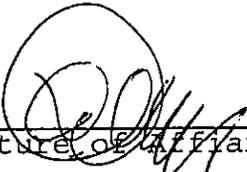
: SS.

Edward A. Brinskele, Affiant, being duly sworn according to law, deposes and says that:

He is the President of MVX.COM Communications, Inc.

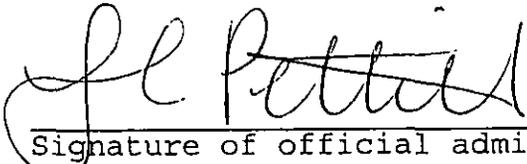
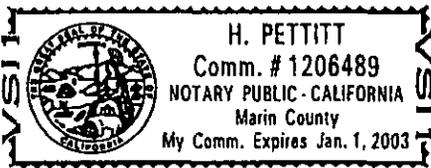
That he is authorized to and does make this affidavit for said corporation;

That the facts above set forth are true and correct and that he expects said corporation to be able to prove the same at any hearing hereof.



Signature of Affiant

Sworn and subscribed before me this 6th day of August, 1999.



Signature of official administering oath

My commission expires 1/1/2003.