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BASKING RIDGE

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Basking Ridge, NJ 07920-2335
Phone: (908) 753-8300
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www.bmgzlaw.com

WILLIAM K. MOSCA, JR.
wmosca@bmgzlaw.com

August 12, 2014

VIA ELECTRONIC MAIL AND OVERNIGHT MAIL

The Honorable Kristi Izzo, Secretary
Board of Public Utilities
44 South Clinton Avenue 9th Floor
Trenton, New Jersey 08635-0350

TE14080907

REC'D
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NJ BPU
CASE MANAGEMENT

Re: In The Matter of ZenFi Networks, Inc.'s Verified Petition to Provide Resold and Facilities-Based Telecommunications Service Throughout New Jersey

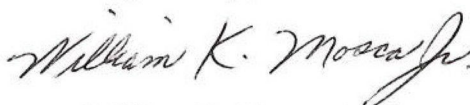
Dear Secretary Izzo:

Enclosed please find the original and ten (10) copies of the Public Version of the Verified Petition of ZenFi Networks, Inc. ("ZenFi") to provide resold and facilities-based telecommunications service throughout New Jersey ("Petition").

Please do not hesitate to contact me with any questions. Thank you for your attention to this filing.

CMS
LEGAL(2)
DAG
RPA
Audits/ANNA(5)

Respectfully,



William K. Mosca, Jr.
Counsel for Petitioner

Enclosure

cc: John Deluca
Tricia Caliguire
Kenneth Sheehan
Carol Artale
Rocco DellaSerra
Christopher White

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Lichtenthaler and Whistler (1972).

Docket No.

I. INTRODUCTION

The 1992 Act deregulated the rates, terms and conditions of competitive telecommunications services in the State of New Jersey, and declared that it is the policy of the State to, among other things, “[p]rovide diversity in the supply of telecommunications service and products in telecommunications markets throughout the state.” N.J.S.A. 48:2-21.16(a)(4). The Legislature further found that a competitive marketplace will “promote efficiency, reduce regulatory delay, and foster productivity and innovation,” N.J.S.A. 48:2-21.16(b)(1), and that permitting the competitive marketplace to operate without traditional utility regulation “will

produce a wide selection of services at competitive market-based prices.” N.J.S.A. 48:2-21.16(b)(3).

As set forth in Section II of this Petition, ZenFi has sufficient technical, financial and managerial resources to provide local and interexchange telecommunications services. The approval of this Petition will provide significant benefits to business customers in terms of choice, price and new services.

Accordingly, the Petitioner submits the following information in support of its request:

II. QUALIFICATIONS

1. Name, Address and Telephone Number of Petitioner:

ZenFi Networks, Inc.
90 White Street
New York, NY 10013
Telephone: 212-981-0700
Facsimile: 212-334-0847

2. Correspondence concerning this Petition should be directed to:

William K. Mosca, Jr.
Bevan, Mosca, Giuditta & Zarillo, P.C.
776 Mountain Boulevard, Suite 202
Watchung, NJ 07069
Telephone: 908-753-8300
Facsimile: 908-753-8301
Email: wmosca@bmgzlaw.com

with a copy to:

Raymond M. La Chance
President & CEO
ZenFi Networks, Inc.
90 White Street
New York, NY 10013
Telephone: 212-981-0700
Facsimile: 212-334-0847
Email: RLaChance@Zenfi.com

Questions regarding ongoing operations of the Petitioner following certification should be directed to Raymond M. La Chance at the above-referenced address.

The following toll-free number is available for customer complaints and inquiries: 1-888-854-7475.

3. Description of the Petitioner:

Petitioner's legal name is ZenFi Networks, Inc., and maintains its principal place of business at 90 White Street, New York, NY 10013. Petitioner is a corporation established under the laws of the state of Delaware. A copy of Petitioner's Certificate of Formation is attached as **Exhibit 1** to this Petition. A copy of its Business Registration Certificate in New Jersey is attached as **Exhibit 2**.

Petitioner holds a Franchise to provide Telecommunications Services and Information Services within the City of New York, both granted on July 10, 2014. Petitioner's Certificate of Public Convenience and Necessity to provide facilities-based and resold telecommunications service throughout the State of New York was approved by the New York State Department of Public Service on July 14, 2014. Petitioner has not been denied authority to provide services in any state, nor has any state revoked its authority to do business therein.

4. Officers of Petitioner:

| | |
|----------------------|---------------------|
| Raymond M. La Chance | President and CEO |
| Victoria O'Kane | COO, Vice President |

All officers can be reached at Petitioner's principal place of business provided in Section II.1 above.

5. **Petitioner's registered agent in New Jersey:**

Corporation Services Company
830 Bearhaven Road
W. Trenton, NJ 08628

6. **Managerial and Technical Qualifications**

Petitioner's New Jersey operations will be directed by its existing corporate management, technical and operations staffs, who are responsible for managing the construction, operation and maintenance of its planned facilities-based network of approximately 100 route fiber miles in New York City and Northern New Jersey. A description of the background of Petitioner's Management Team, nearly all of whom have over 25 years' experience in technical and/or financial management in the Telecommunications and Electrical Contracting fields, is attached as **Exhibit 3**. Additional information concerning Petitioner's qualifications is contained in its Competitive Exchange Carrier Questionnaire, which is attached as **Exhibit 4**.

Petitioner currently employs a total of two persons, none of whom are based in New Jersey but all of whom are available to serve New Jersey customers.

7. **Description of Petitioner's Financial Qualifications**

Petitioner is financially qualified to provide telecommunications services in New Jersey. Petitioner and its affiliated and predecessor companies have been continuously involved in the construction, operation and maintenance of fiber facilities in the New York and Northern New Jersey metropolitan area since 1985. Principals of the Petitioner, through their affiliated business, Hugh O'Kne Electric Co. and Metro Network Services (collectively more than 300 employees) currently provide Design, Build and Maintenance services to nearly every facilities

based telecommunications provider in the region. Petitioner attaches hereto as **Exhibit 5** the most recent quarterly financial statement of ZenFi Networks, Inc.

8. Request for Confidentiality and Waivers of Rules Requiring Petitioner to Comply with Uniform System of Accounts and to Keep Records in New Jersey

ZenFi Networks, Inc. is privately owned and is not required to file the financial statement attached as Exhibit 5 publicly or with any governmental body. All such information is treated and maintained as proprietary and confidential by the company's owners. Accordingly, Petitioner requests that the Board maintain all financial information provided in connection with this Petition on a confidential basis and that the Board not disclose such information to any third party without the prior consent of ZenFi, and the application of confidentiality requirements upon any receiving party.

The financial information contained in Exhibit 5 was compiled in accordance with Generally Accepted Accounting Principles ("GAAP"). In the interest of efficiency, and since ZenFi's services are competitive and will not be subject to rate of return regulation, Petitioner seeks a waiver of N.J.A.C. 14:1-4.3, which requires financial material to comply with the Uniform System of Accounts ("USOA"). Good cause exists for the grant of this waiver. Neither the Federal Communications Commission nor any other jurisdiction requires Petitioner to maintain its books according to the USOA. Absent the grant of a waiver, Petitioner would be required to maintain dual sets of books, one solely for New Jersey and another for all other jurisdictions. Such a requirement would be extremely burdensome. GAAP is a widely accepted accounting methodology that accurately reflects Petitioner's operations. Petitioner's continuing

use of GAAP will be consistent with the principles embodied in the USOA provisions and will permit Petitioner to comply with any applicable Board requirements.

Petitioner also requests a waiver of N.J.A.C. 14:1-5.15(a), which requires that all books and records incident to Petitioner's operations be maintained in the State of New Jersey. Petitioner's activities in the State of New Jersey will be managed from its principal place of business in New York City. Requiring ZenFi to maintain its books and records in the State of New Jersey would place an undue financial burden on Petitioner as it competed with other carriers that maintain their books and records outside the State of New Jersey. Upon written request from the Board, Petitioner will produce such books and records at such time and place within New Jersey as the Board may designate. Alternatively, Petitioner will pay to the Board the reasonable expense or charges incurred by the Board for any investigation or examination the Board undertakes at Petitioner's business offices.

III. PROPOSED SERVICE OFFERINGS

Petitioner seeks authorization to provide facilities-based and resold telecommunications services throughout the State of New Jersey using owned and leased facilities from Verizon-New Jersey. Petitioner plans to build and operates a high density fiber optic network primarily providing services (dark fiber, Ethernet, CPRI and colocation) to mobile wireless operators, enabling expansion of coverage and capacity of carrier based mobile wireless networks including 3G, 4G and LTE technologies. All rates are negotiated.

IV. PUBLIC INTEREST CONSIDERATIONS

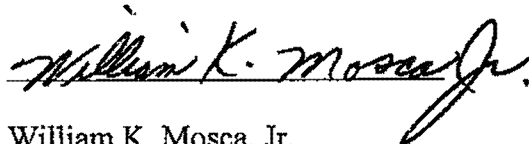
The Board's approval of this Petition will promote the public interest by increasing competition in the provision of telecommunications services in New Jersey. Petitioner will deploy and expand the competitive telecommunications infrastructure in the State, and Petitioner will provide customers with high quality, cost effective telecommunications services, and with an emphasis on customer responsiveness. In addition to driving prices closer to costs, thereby helping to ensure just and reasonable rates, competition also promotes efficiency in the delivery of services and in the development of new services. These benefits work to maximize the public interest by providing continuing incentives for carriers to reduce costs while simultaneously promoting the availability of services that customers desire. Accordingly, ZenFi's entry into the intrastate telecommunications services market will enhance the telecommunications infrastructure in the State of New Jersey, enhance service options available to New Jersey customers, and will facilitate economic development.

V. CONCLUSION

For the reasons state above, Petitioner respectfully submits that the public interest, convenience and necessity will be furthered by the approval of this Petition for the authority to provide facilities-based and resold local and interexchange telecommunications services in the State of New Jersey.

Respectfully submitted,

By:



William K. Mosca, Jr.
Bevan, Mosca, Giuditta & Zarillo, P.C.
776 Mountain Boulevard, Suite 202
Watchung, NJ 07069
Telephone: (908) 753-8300
Facsimile: (908) 753-8301
Email: wmosca@bmgzlaw.com

Counsel for Petitioner

Dated: AUG. 12, 2014

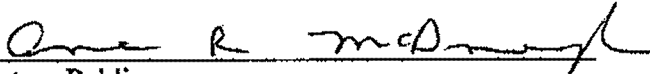
VERIFICATION

Raymond M. La Chance, being duly sworn, deposes and states that he is President and Chief Executive Officer of ZenFi Networks, Inc., that he is authorized to make this Verification on behalf of ZenFi Networks, Inc.; that he has read the above Verified Petition and knows the contents thereof; and that the same are true and correct to the best of his knowledge, information and belief.


Raymond M. La Chance

Subscribed and sworn to before me this 12th day of August 2014.

My commission expires: 8-1-2015.


Notary Public

ANNE R MCDONOUGH
COMMISSIONER OF DEEDS
CITY OF NEW YORK 5-1563
CERTIFICATE FILED IN
NEW YORK COUNTY
COMMISSION EXPIRES AUG 01 2015

Exhibit 1

Certification of Incorporation of ZenFi Networks, Inc.

Delaware

PAGE 1

The First State

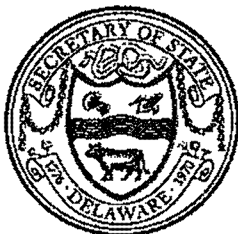
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "ZENFI NETWORKS, INC.", FILED IN THIS OFFICE ON THE THIRTY-FIRST DAY OF DECEMBER, A.D. 2013, AT 11:52 O'CLOCK A.M.


A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

5458109 8100

131493601

You may verify this certificate online
at corp.delaware.gov/authver.shtml




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 1023680

DATE: 12-31-13

CERTIFICATE OF INCORPORATION

FIRST: The name of this corporation shall be: ZENFI NETWORKS, INC.

SECOND: Its registered office in the State of Delaware is to be located at 2711 Centerville Road, Suite 400, in the City of Wilmington, County of New Castle, 19808, and its registered agent at such address is Corporation Service Company.

THIRD: The purpose or purposes of the corporation shall be:

To engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware.

FOURTH: The total number of shares of stock which this corporation is authorized to issue is Three Thousand (3,000) shares of common stock, at no par value.

FIFTH: The name and address of the incorporator is as follows:

Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

SIXTH: The Board of Directors shall have the power to adopt, amend or repeal the by-laws.

SEVENTH: No director shall be personally liable to the Corporation or its stockholders for monetary damages for any breach of fiduciary duty by such director as a director. Notwithstanding the foregoing sentence, a director shall be liable to the extent provided by applicable law, (i) for breach of the director's duty of loyalty to the Corporation or its stockholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) pursuant to Section 174 of the Delaware General Corporation Law or (iv) for any transaction from which the director derived an improper personal benefit. No amendment to or repeal of this Article Seventh shall apply to or have any effect on the liability or alleged liability of any director of the Corporation for or with respect to any acts or omissions of such director occurring prior to such amendment.

IN WITNESS WHEREOF, the undersigned, being the incorporator herein before named, has executed signed and acknowledged this Certificate of Incorporation this 31st day of December, 2013.

Corporation Service Company, Incorporator

By: /s/ Ryan Thomas
Name: Ryan Thomas
Assistant Secretary

Exhibit 2

New Jersey Business Registration Certificate for
ZenFi Networks, Inc.

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
CERTIFICATE OF AUTHORITY

ZENFI NETWORKS, INC.
0101031511

I, the Treasurer of the State of New Jersey, do hereby certify that the above-named Foreign Profit Corporation organized under the laws of Delaware, has complied with all the requirements of Title 14A of the New Jersey Statutes, and that the business or activity of said Foreign Profit Corporation to be carried on within the State of New Jersey is such as may be lawfully carried on by Foreign Profit Corporation filed under the laws of this State for similar business or activity. The Certificate of Authority was duly filed March 18th, 2014.



IN TESTIMONY WHEREOF, I have
hereunto set my hand and affixed
my Official Seal at Trenton, this
at Trenton, this
20th day of March, 2014

A handwritten signature in black ink, appearing to read "Andrew P. Sidamon-Eristoff".

Andrew P Sidamon-Eristoff
State Treasurer

Certificate Number: 131615746

Verify this certificate online at

https://www1.state.nj.us/TYTR_StandbyCert/JSP/Verify_Cert.jsp

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CT CORP

PAGE 02/03

Mail to: PO Box 308
Trenton, NJ 08646STATE OF NEW JERSEY
DIVISION OF REVENUEOriginal to: 33 West State St.
Fifth Floor
Trenton, NJ 08608-1214**"FEE REQUIRED" PUBLIC RECORDS FILING FOR NEW BUSINESS**

Fill out all information below INCLUDING INFORMATION FOR ITEM 11, and sign in the this form constitutes your original certificate of incorporation/formation/registration/authority form is considered public. Refer to the instructions for delivery/return options, filing fees and remit the appropriate fee amount. Use attachments if more space is required for any field, or if

FILED
MAR 18 2014
STATE TREASURER

1. Business Name: ZENFI NETWORKS, INC

2. Type of Business Entity: F R
(See Instructions for Codes, Page 21, Item 2)3. Business Purpose:
(See Instructions, Page 22, Item 3)
Telecommunications Services.

4. Stock: (Domestic Corporations only; LLCs and Non-Profit leave blank).

5. Duration (If Indefinite or Perpetual, leave blank):

6. State of Formation/Incorporation (Foreign Entities Only):
Delaware7. Date of Formation/Incorporation (Foreign Entities Only):
12-31-20138. Contact Information:
Registered Agent Name: The Corporation Trust CompanyRegistered Office:
(Must be a New Jersey street address)

Main Business or Principal Business Address:

Street: 820 Bear Tavern Road,

Street: 90 White Street

City: West Trenton, New Jersey

Zip: 08628

City: New York

State: NY

Zip: 10013

9. Management (Domestic Corporations and Limited Partnerships Only)

- For-Profit and Professional Corporations list initial Board of Directors, minimum of 1;
- Domestic Non-Profits list Board of Trustees, minimum of 3;
- Limited Partnerships list all General Partners.

| Name | Street Address | City | State | Zip |
|------|----------------|------|-------|-----|
| | | | | |
| | | | | |

The signatories below certify that the business entity has complied with all applicable filing requirements pursuant to the laws of the State of New Jersey.

10. Incorporators (Domestic Corporations Only, minimum of 1)

| Name | Street Address | City | State | Zip |
|------|----------------|------|-------|-----|
| | | | | |
| | | | | |

Signature(s) for the Public Record (See Instructions for Information on Signature Requirements)

Signature

Name

Title

Date

Raymond M. LaChance Pres.

3/12/14

2658787

4730480

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT "ZENFI NETWORKS, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE NOT HAVING BEEN CANCELLED OR DISSOLVED SO FAR AS THE RECORDS OF THIS OFFICE SHOW AND IS DULY AUTHORIZED TO TRANSACT BUSINESS.

THE FOLLOWING DOCUMENT HAS BEEN FILED:

CERTIFICATE OF INCORPORATION, FILED THE THIRTY-FIRST DAY OF DECEMBER, A.D. 2013, AT 11:52 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CERTIFICATE IS THE ONLY PAPER OF RECORD, THE CORPORATION IN QUESTION NOT HAVING FILED AN AMENDMENT NOR HAVING MADE ANY CHANGE WHATSOEVER IN THE ORIGINAL CERTIFICATE AS FILED.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.



5458109 8315

140309632

You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 1194552

DATE: 03-10-14

Exhibit 3

ZenFi Networks, Inc.'s Management Team

EXHIBIT 3

Metro Network Services, LLC is managed and operated by the same team who built and sold the Lexent Metro Connect dark fiber optic network in Manhattan and New Jersey. Leveraging our experience constructing a proprietary network and our acute knowledge of the New York Metro construction and political fields, Metro|NS consults with clients to ensure their networks are optimized and efficient.

Our team is comprised of industry veterans whom average over twenty years' experience in network planning and design; construction project management; and network operations and life-cycle management.

We work closely with telecommunications service providers, wireless providers, financial companies and enterprises to construct new networks or expand existing footprints.

Over the past two decades, the Metro|NS team has designed and built many large-scale fiber optic m in the Northeast US, with a strong focus on the New York- New Jersey Metro area.

Our unique differentiator: our design team's operating experience. We know how to design networks that are productive throughout the fiber's life cycle.

Ray La Chance

ZenFi Networks, Inc. & Metro Network Services, LLC
President and CEO

As President, Chief Executive Officer and Co-Founder of Metro Network Services, LLC, and ZenFi Networks, Inc. Ray La Chance provides proven, industry and management expertise to the Metro|NS team, overseeing all aspects of the business' operations. Ray is an information technology industry veteran with more than 25 years of experience managing teams to design, build, and operate complex, high capacity networks for large enterprises, financial firms and telecommunications service providers.

Prior to founding Metro|NS, Ray was President and CEO of Lexent Metro Connect, LLC from 2007 to its successful sale in December 2010 to Lightower Fiber Networks. Ray was also the co-founder of Realtech Systems Corp., an enterprise network integration and professional services firm that he led as President and CEO.

Ray received a Bachelor of Science degree in Computer Science from the State University of New York at Albany.

Victoria O’Kane
ZenFi Networks, Inc. & Metro Network Services, LLC
Vice President and COO

Victoria is a Founding Partner and the Chief Operating Office for Metro Network Services and ZenFi Networks, Inc. She has a proven array of experience in the telecommunications and engineering fields in both sales and project management.

Prior to founding Metro[NS, Victoria worked as Director of Carrier Sales and Marketing for Lexent Metro Connect until it was sold to Lightower Fiber Networks in December 2010. In 2010, Victoria also joined her two cousins as third-generation owners of their family business, Hugh O’Kane Electric Co., Inc. and remains a board member and partner in the firm.

Victoria holds a B.A. in International Studies from Boston College, and an M.B.A. from the Tuck School of Business at Dartmouth College.

Exhibit 4

ZenFi Networks, Inc.'s

Competitive Exchange Carrier Questionnaire

COMPETITIVE EXCHANGE CARRIER **QUESTIONNAIRE**

Legal Company Name ZenFi Networks, Inc.

D/B/A _____

Address 90 White Street
New York, NY 10013

Telephone 212-981-0700 Fax 212-334-0847

Customer Contact (service orders/complaints):

Name Victoria O'Kane

Address 90 White Street
New York, NY 10013

Telephone 212-981-0700

Regulatory Contact:

Name Raymond M. LaChance

Title President & CEO

Address 90 White Street
New York, NY 10013

Telephone 518-281-8734

Facsimile 212-334-0847

E-Mail Info@zenfi.com

Web Address www.zenfi.com

The Board is not obligated to review and approve requests in timeframes, which reflect or take into account the contractual or other obligations of a petitioner to third parties. Accordingly, petitioners enter into all obligations to third parties at their own risk.

BACKGROUND INFORMATION

Corporate Structure: Sole Proprietorship () Partnership ()
Limited Liability Partnership () Limited Liability Corporation (x)
Subchapter S Corporation () Corporation ()

| Principal Owner(s): | Name Title | Percent Owner |
|---------------------|-------------------------|---------------|
| | <u>Raymond LaChance</u> | <u>30%</u> |
| | <u>Victoria O'Kane</u> | <u>16.7%</u> |
| | <u>Alexander O'Kane</u> | <u>16.7%</u> |
| | <u>Hugh O'Kane</u> | <u>16.7%</u> |
| | <u>John O'Kane</u> | <u>16.7%</u> |

| Principal Operator(s): | Name | Title - Telephone Number |
|------------------------|-----------------------------|----------------------------|
| | <u>Raymond M. La Chance</u> | <u>President & CEO</u> |
| | <u></u> | <u>518-281-8734</u> |
| | <u></u> | <u></u> |

State of Organization, if applicable: Delaware

Date business was started: December 31, 2013

List address(es) and telephone number(s) of all business offices in New Jersey:

None _____

List name, address and type of businesses operated, owned and/or controlled by any partner or major shareholder.

Hugh O'Kane Electric Co., Inc.
90 White Street
New York, NY 10013
Electrical contracting

CUSTOMER INFORMATION

| Type | Number | Lines | Current year Revenue (Actual) | Future Years Revenue (Projection) |
|-------------------------|-----------|------------|-------------------------------------|-----------------------------------------|
| Residential (1-4 lines) | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| Business | | | | |
| Small (1-10 lines) | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| Medium (11-49 lines) | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| Large (over 49 lines) | <u>13</u> | <u>N/A</u> | | |

Description of services offered and monthly rate for each respective service:

Petitioner is a mobile wireless infrastructure provider offering fiber optic and fixed wireless connectivity, enabling expansion of coverage and capacity of carrier based mobile wireless networks including 3G, 4G and LTE technologies.

dark fiber, fractional dark fiber and interconnection; all rates are negotiated

Do you have an executed interconnection and/or resale agreement with Bell Atlantic - New Jersey, United Telephone and/or Warwick Valley Telephone Company?

Yes or No

If yes, please specify type of agreement, date executed, and date of BPU approval and docket number.

If no, please briefly explain status of negotiations and major concerns raised during negotiations.

Is your company, its subsidiaries or affiliates, currently involved in any disciplinary proceeding with any regulatory or legal authority in any federal or state jurisdiction?

Yes or No. If yes, explain in detail.

Provide a complete list and status of all complaints filed against the company, directly and indirectly, for the preceding twelve months. Specify which state and arena the complaint was filed. ***Please note it is the company's responsibility to verify with each jurisdiction where it is currently operating and attest to this Board regarding the number of outstanding complaints.***

No complaints were filed against Petitioner in the past twelve months.

Provide a complete list of all jurisdictions in which the company currently operates and the type of authority granted.

Petitioner operates in New York and New Jersey

Provide a statement attesting that your customer marketing procedures are in accordance with all Federal Communications Commission rules and regulations regarding subscriber carrier selection and all New Jersey laws and rules regarding changes in telecommunications service providers.

Petitioner's customer marketing procedures are in accordance with all Federal Communications Commission rules and regulations regarding carrier selection and all New Jersey laws and rules regarding changes in telecommunications carriers.

Briefly describe your target customer base for the following:

Current Enterprise customers requiring connectivity between business operations and datacenters in New Jersey and New York City

In one year Same

In five years Same

Describe the nature and location of telephone network facilities currently owned or controlled in New Jersey by:

a) the operating company

Approximately 12 miles of owned and leased fiber in the Newark and Weehawken areas connecting to Petitioner's hubs at 165 Halsey Street, Newark and 300 Kennedy Boulevard East, Weehawken.

b) the parent and/or subsidiary (specify)

c) any other entity (specify)

Describe the nature and location of telephone network facilities currently under construction in New Jersey.

Petitioner is currently constructing a 15-mile ultra low latency metro fiber ring connecting strategic datacenters and collocation facilities located in Weehawken, North Bergen, Secaucus and Newark

Provide a list of Municipalities where service will be provided broken down by residential and business categories.

Initial offerings will be made to enterprise and carrier customers located in Newark and Weehawken and in municipalities along the fiber ring being constructed to connect locations in Weehawken, North Bergen, Secaucus and Newark.

Explain, in general, the company's plans for the next year and five years, respectively.

Petitioner's current construction program is expected to run through the fourth quarter of 2009. Depending upon customer acceptance of Petitioner's offer, Petitioner will consider further expansion of its fiber facilities to include more enterprise customer operating and datacenter locations in New Jersey and the offering of lit fiber-based services in all areas nearby to Petitioner's deployed fiber.

Any other comments?

VERIFICATION

____ (Officer of the Company), being duly sworn, deposes and states that he/she is _____ (Office) of _____ (Company Name), that he/she is authorized to make this Verification on behalf of _____ (Company Name); that he /she has read _____ (Company Name) responses to this questionnaire to be filed with the New Jersey Board of Public Utilities, and knows the contents thereof; and that the same are true and correct to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this ____ day of _____.

My commission expires: _____.

Exhibit 5

Most Recent Quarterly Financial Statement of
ZenFi Networks, Inc.

REDACTED