

**BEFORE THE
UTAH PUBLIC SERVICE COMMISSION**

Application of)
Broadview Networks, Inc.)
)
For a Certificate of Public Convenience)
And Necessity to Provide Resold and)
Facilities-Based Local Exchange Services)
Within the State of Utah)

**DIRECT TESTIMONY OF CHARLES C. HUNTER
ON BEHALF OF BROADVIEW NETWORKS, INC.**

Q: PLEASE STATE YOUR NAME AND BUSINESS ADDRESS FOR THE RECORD.

A: Charles C. Hunter, 800 Westchester Avenue, Suite N-501, Rye Brook, NY 10573.

Q: BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A: I am Executive Vice President, Secretary and General Counsel of Broadview Networks, Inc.

Q: PLEASE DESCRIBE YOUR DUTIES FOR THE COMPANY.

A: As Executive Vice President, Secretary and General Counsel, I am responsible for the corporate and legal affairs of the Company, including federal and state public policy advocacy. In this role, I am integrally involved in all aspects of the day-to-day operation of the Company, including all administrative, legal and regulatory matters.

Q: PLEASE PROVIDE A BRIEF BACKGROUND ON YOUR EXPERIENCE IN TELECOMMUNICATIONS.

A: I have served as Executive Vice President, Secretary and General Counsel of Broadview since 2003. I have practiced telecommunications law for more than 25 years and represented competitive providers of communications services for well over a decade. Prior to joining Broadview, I headed the Hunter Communications Law Group, P.C., a

District of Columbia-based boutique telecommunications law firm with a nationwide clientele. I began my legal career as a trial attorney with the Federal Maritime Commission and afterwards was a partner specializing in telecommunications matters at the Chicago-based law firm of Gardner, Carton and Douglas and the District of Columbia-based law firm of Herron, Burchette, Ruckert and Rothwell.

Q: ARE YOU FAMILIAR WITH THE APPLICATION YOUR COMPANY SUBMITTED TO THIS COMMISSION?

A: Yes.

Q: DO YOU RATIFY AND CONFIRM THE STATEMENTS AND REPRESENTATIONS MADE IN THAT APPLICATION?

A: Yes.

Q: WHAT IS THE OWNERSHIP STRUCTURE OF BROADVIEW NETWORKS, INC.?

A: Broadview is a corporation formed under the laws of the State of New York. The Company is a direct wholly-owned subsidiary of Broadview Networks Holdings, Inc.

Q: WHAT SERVICES ARE PROVIDED BY BROADVIEW?

A: Broadview Networks, Inc., is presently authorized by the Federal Communications Commission to provide interstate domestic and international telecommunications services pursuant to Section 214 of the Communications Act of 1934, as amended. Broadview is also certified, or otherwise authorized to provide interexchange long distance telecommunications services throughout the contiguous United States. Additionally, Broadview has authority to provide local exchange telecommunications services in California, Connecticut, the District of Columbia, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio,

Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia and Washington. Applications for local service authority are presently pending, or Broadview will be filing such applications in the very near future, for local exchange telecommunications service authority in all states in the contiguous United States where the Company does not possess such authority.

Q: HOW WILL BROADVIEW BILL ITS CUSTOMERS?

A: Broadview will bill customers directly on a monthly basis. Contact information for the Commission and Broadview's Customer Care Department will be provided on the bill.

Q: HOW WILL BROADVIEW HANDLE CUSTOMER COMPLAINTS?

A: Broadview Customer Care representatives and 24-hour automated customer assistance allow customers to bring service, billing and repair questions or complaints to the Company's attention 24 hours a day, 7 days a week. Customers may access Broadview Customer Care toll-free at (800) 276-2384 to initiate service complaints or to receive updates on reported problems or pending customer service complaints. Customers may also contact Broadview Customer Care 24 hours a day via the company's website, www.broadviewnet.com. Inquiries regarding service or billing may also be made in writing. Furthermore customers will be advised that they have the right to contact the Utah Public Service Commission for resolution of customer service and billing issues; customers will also be provided the address and toll-free telephone number of the Commission.

Q: HOW LONG HAS BROADVIEW BEEN IN BUSINESS?

A: Broadview has been in operation since 1996.

Q: DOES BROADVIEW HAVE OFFICES IN UTAH?

A: No. Broadview does not intend to have an office physically present in Utah at this time. Accordingly, Broadview requests a waiver of Commission Rules and Regulations, if necessary, to allow it to maintain its books and records at its principal office located at 800 Westchester Avenue, Suite N-501, Rye Brook, New York 10573. In the event that the Commission should desire to inspect such books and records, Broadview will provide access expeditiously at its own expense.

Q. DOES BROADVIEW SEEK ANY ADDITIONAL WAIVERS IN ITS APPLICATION?

A. Yes. Broadview has historically maintained its financial records in accordance with Generally Accepted Accounting Principles and does not organize its accounts in accordance with the Uniform System of Accounts. The obligation to do so with respect to only the company's Utah intrastate operations would pose an undue burden upon the company; accordingly, Applicant seeks permission to continue maintaining records in accordance with GAAP rather than USOA. Broadview also seeks a waiver of the requests a waiver of the bonding requirement which would otherwise be imposed by R746-349-3; Broadview has presented financial documentation through exhibits to the Application which demonstrate that adequate provisions exist to protect customer deposits or other customer and state fund liabilities with need for posting of a \$100,000 bond.

Q: WHY HAS BROADVIEW FILED THIS APPLICATION?

A: Broadview believes its telecommunications offering will be beneficial to Utah consumers. This service offering will provide Broadview subscribers with cost advantages realized through the provision of competitive telecommunications services. Commission approval of the Application will bring the following long-term benefits to

the public: greater value to subscribers through lower-priced, higher quality services; innovative telecommunications services; increased consumer choice in telecommunications service and customized billing options; and efficient use of existing telecommunications resources, as well as increased diversification and reliability in the supply of telecommunications services.

Q: DOES BROADVIEW PROVIDE CONVENTIONAL OR ALTERNATIVE OPERATOR SERVICES?

A: No.

Q: DOES BROADVIEW PROVIDE PAYPHONE SERVICE?

A: No.

Q: WILL BROADVIEW SERVE RESIDENTIAL USERS?

A: Broadview's telecommunications services will be available to both residential and business consumers.

Q: DO YOU BELIEVE THAT YOUR PRINCIPAL MANAGERIAL AND TECHNICAL PERSONNEL HAVE THE QUALIFICATIONS AND TECHNICAL ABILITY NECESSARY TO PROVIDE THE PROPOSED TELECOMMUNICATIONS SERVICES?

A: Yes. Attached to Broadview's application for authority as Exhibit C are brief biographies of principal managerial personnel. As demonstrated therein, Broadview has competent and experienced management with ample technical telecommunications experience to provide successful and continuous telecommunications services in Utah.

Q: DOES BROADVIEW HAVE THE FINANCIAL QUALIFICATIONS TO OPERATE AS A CARRIER IN UTAH?

A: Yes. As demonstrated by the financial statements attached as Exhibit B to Broadview's Application, the Company has the financial resources necessary to provide reliable local exchange telecommunications services to residents of the State of Utah, and to do without need of any performance bond.

Q: IN YOUR OPINION, WOULD GRANT OF BROADVIEW'S APPLICATION BE IN THE PUBLIC INTEREST?

A: Yes. Broadview's proposed service offering will provide alternative services of the highest quality and will offer increased diversification and increased reliability of communications services. Grant of the Company's Application will enhance competition for interexchange telecommunications services in Utah by providing consumers with an additional service provider choice for the satisfaction of their long distance telecommunications needs.

Q: DOES THIS COMPLETE YOUR PREFILED TESTIMONY IN SUPPORT OF YOUR APPLICATION?

A: Yes, it does.

Q: WILL YOU REMAIN AVAILABLE TO RESPOND TO ANY ADDITIONAL QUESTIONS FROM THE COMMISSION OR ITS STAFF ABOUT YOUR APPLICATION OR COMPANY IF NECESSARY?

A: Yes.