

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide competitive local exchange telecommunications service by Network Billing Systems, L.L.C.	DOCKET NO. 110055-TX <i>May 25, 2011</i>
In re: Application for certificate to provide competitive local exchange telecommunications service by Advanced Communications Southeast, Inc.	DOCKET NO. 110081-TX
In re: Application for certificate to provide competitive local exchange telecommunications service by AireWire, Inc.	DOCKET NO. 110084-TX
In re: Application for certificate to provide competitive local exchange telecommunications service by Access Media 3, Inc.	DOCKET NO. 110124-TX ORDER NO. PSC-11-0234-PAA-TX ISSUED: <i>May 25, 2011</i> <i>- ac</i>

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATES TO
PROVIDE COMPETITIVE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code (F.A.C.).

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

The entities listed below have applied for certificates to provide Competitive Local Exchange Telecommunications (CLEC) service, pursuant to Section 364.337, Florida Statutes (F.S.). Upon review of their applications, it appears that these entities have sufficient technical, financial, and managerial capability to provide such service. Accordingly, we hereby grant to each of these entities the certificates depicted below, which shall authorize them individually to provide CLEC services throughout the State of Florida.

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>
AireWire, Inc.	8812
Advanced Communications Southeast, Inc.	8813
Access Media 3, Inc.	8814
Network Billing Systems, L.L.C.	8816

We are vested with jurisdiction on this matter pursuant to Sections 364.335 and 364.337, F.S.

CLEC providers are subject to Chapter 25-24, F.A.C., and are required to comply with all applicable provisions of Chapter 364, F.S., and Chapter 25-4, F.A.C. Pursuant to Section 364.337(2), F.S., basic telecommunications service provided by a CLEC "... must include access to operator services, "911" services, and relay services for the hearing impaired." Further, Section 364.337(2), F.S. requires that a CLEC's "911" service "... shall be provided at a level equivalent to that provided by the local exchange telecommunications company serving the same area."

In addition, under Section 364.336, F.S., certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed each December to each of the entities listed above for payment by January 30th. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice shall relieve any of these entities from its obligation to pay RAFs.

If this Order becomes final and effective, it will serve as each entity's certificate. Each entity should, therefore, retain this Order as proof of certification.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide Competitive Local Exchange Telecommunications services, subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as each entity's certificate and should, therefore, be retained by these entities as proof of certification. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, these dockets shall be closed.

By ORDER of the Florida Public Service Commission this 25th day of May, 2011.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 15, 2011.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.