

FLORIDA PUBLIC SERVICE COMMISSION
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M E M O R A N D U M

MARCH 7, 1996

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (WILLIAMS, STAVANJA) *WJ*
DIVISION OF LEGAL SERVICES (EDMONDS) *RE*

RE: DOCKET NO. 960066-TX - NOTICE OF INTENT TO PROVIDE
ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICE
AND REQUEST FOR NAME CHANGE ON ALTERNATIVE ACCESS
VENDOR CERTIFICATE NO. 4040 FROM LDDS COMMUNICATIONS,
INC. TO WORLDCOM, INC. d/b/a LDDS WORLDCOM.

AGENDA: 03/19/96 - REGULAR AGENDA - ONLY ISSUE 2 IS PROPOSED
AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE.

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\960066TX.RCM

CASE BACKGROUND

Pursuant to Section 364.337 (6) (b), Florida Statutes, any certificated alternative access vendor certificated as of July 1, 1995 and wishing to provide alternative local exchange telecommunications service may do so effective January 1, 1996, upon furnishing to the Florida Public Service Commission written notice of its intention.

STAFF DISCUSSION

ISSUE 1: Should the Commission acknowledge the following certificated Alternative Access Vendor service company's notification of intention to provide alternative local exchange telecommunications service within the State of Florida as provided by Section 364.337(6)(b), Florida Statutes, and should that authority be statewide, except in areas precluded by Section 364.337(1), Florida Statutes?

DOCUMENT NUMBER-DATE

02823 MAR-7%

FPSC-RECORDS/REPORTING

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RECOMMENDATION: Yes, the Commission should acknowledge the following certificated Alternative Access Vendor service company's notification of intention to provide alternative local exchange telecommunications service within the State of Florida as provided by Section 364.337(6)(b), Florida Statutes, with the authority being statewide, except in areas precluded by Section 364.337(1), Florida Statutes.

LDDS Communications, Inc.
Florida Public Service Commission AAV Certificate # 4040

STAFF ANALYSIS: Pursuant to Section 364.337(6)(b), Florida Statutes, effective July 1, 1995, any alternative access vendor certificated as of July 1, 1995 and wishing to provide alternative local exchange telecommunications service (ALEC) may do so effective January 1, 1996, upon furnishing written notice to the Commission.

The company listed in Issue 1 was certificated as an AAV on or before July 1, 1995 and has furnished written notice of its intention to provide ALEC service in Florida. This notice (attached) satisfies the requirements of Section 364.337(6)(b), Florida Statutes.

As an AAV, this company was granted statewide authority by this Commission to provide approved AAV service. Therefore, staff concludes that the ALEC authority should also be statewide except for those areas of the state (territories of earnings regulated small LECs) that are precluded by Section 364.337(1), Florida Statutes.

Staff recommends that the company listed in Issue 1 be acknowledged as an alternative local exchange company pursuant to Section 364.337(6)(b), Florida Statutes, with authority to provide alternative local exchange telecommunications service in Florida effective immediately, and that authority be recognized as statewide except in areas (earnings regulated small LEC territories) precluded by Section 364.337(1), Florida Statutes.

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ISSUE 3: Should the Commission acknowledge the name change from LDDS COMMUNICATIONS, INC. to WORLDCOM, INC. d/b/a LDDS WORLDCOM?

RECOMMENDATION: Yes.

STAFF ANALYSIS: LDDS COMMUNICATIONS, INC. has requested that the name on Certificate No. 4040 be changed from LDDS COMMUNICATIONS, INC. to WORLDCOM, INC. d/b/a LDDS WORLDCOM.

As required in Chapter 2.07, Section C. 3 of the Administrative Procedures Manual, since the change does not involve a change of control or transfer of assets, it is staff's recommendation that the name change be acknowledged.

ISSUE 4: Should this docket be closed?

RECOMMENDATION: Yes, if no person whose substantial interests are affected by the Commission's Proposed Agency Action in Issue 2 files a protest within 21 days of the issuance date of the order this docket should be closed.

STAFF ANALYSIS: The order acknowledging granting ALEC authority to this company listed in Issue 1 is final. This authority is granted by Section 364.337(1) and the order is simply an acknowledgment. Section 364.337(1) also requires the Commission to expeditiously grant certificates and that the grant of certificates not be affected by the application of any criteria other than specifically enumerated in subsection (1).

However, the decision concerning Issue 2 is a proposed agency action order outside of subsection (1) and should not affect the granting of ALEC authority to this company.

Accordingly, this docket should be closed, if no person whose substantial interests are affected by the Commission's Proposed Agency Action in Issue 2, files a protest within 21 days of the issuance date of the order.