

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for waiver of
surety bond requirement in Rule
25-24.490(2), F.A.C., by
Dominion Telecom, Inc.

DOCKET NO. 020774-TI
ORDER NO. PSC-02-1190-PAA-TI
ISSUED: September 3, 2002

The following Commissioners participated in the disposition of
this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING PETITION FOR WAIVER OF SURETY BOND

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.

On July 22, 2002, Dominion Telecom, Inc. (Dominion) submitted
a petition for waiver of Rule 25-24.490(2), Florida Administrative
Code. The rule requires that a company maintain on file with this
Commission a bond covering its current balance of deposits and
advance payments from its customers. In the alternative, this
Commission may waive the bond requirement if the company
demonstrates that it possesses the financial resources and income
to provide the assurance of continued operation under its
certificate over the long run.

We have addressed several bond waiver petitions in the past,
and have approved or denied them based on the financial data
provided by the petitioning interexchange telecommunications
carrier.

DOCUMENT NUMBER-DATE

09281 SEP-38

FPSC-COMMISSION CLERK

Rule 25-24.490(2), Florida Administrative Code, Customer Relations; Rules Incorporated, provides two alternatives for the protection of consumers. The first alternative is to maintain a bond, and the second alternative is to demonstrate sufficient resources to be relieved of this requirement by the Commission. Dominion is requesting in this petition that we approve the second alternative.

Rule 25-24.490(2), Florida Administrative Code, states as follows:

An interexchange company may require a deposit as a condition of service and may collect advance payments for more than one month of service if it maintains on file with the Commission a bond covering its current balance of deposits and advance payments (for more than one month's service.) A company may apply to the Commission for a waiver of the bond requirement by demonstrating that it possesses the financial resources and income to provide assurance of continued operation under its certificate over the long term.

Dominion has provided proof of its liquidity and its ability to raise funds in the public capital markets and has adequately demonstrated that it has the financial means to continue operations over the long term. Accordingly, we find that the bond requirement in Rule 25-24.490(2), Florida Administrative Code, should be waived for Dominion Telecom, Inc.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the petition for waiver of the surety bond requirement in Rule 25-24.490(2), F.A.C., by Dominion Telecom, Inc. shall be granted.

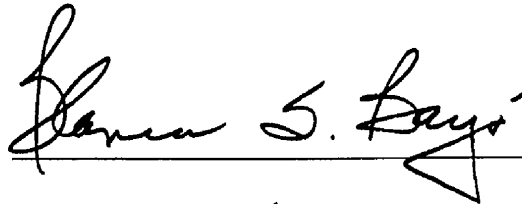
ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and

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Administrative Services, 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, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 3rd day of September, 2002.

A handwritten signature in black ink, reading "Blanca S. Bayó", is written over a horizontal line. The signature is cursive and includes a stylized flourish at the end.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

JAE

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.

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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 Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on September 24, 2002.

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.