



Public Service Commission  
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COMMISSION CLERK

DATE: APRIL 3, 2003  
TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)  
FROM: DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (MCCOY) *mm* OFFICE OF THE GENERAL COUNSEL (DODSON) *pld* *c.r.f.*  
RE: DOCKET NO. 020381-TI - APPLICATION FOR CERTIFICATE TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE BY ACCESS WORLD, LLC.  
AGENDA: 04/15/03 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE  
CRITICAL DATES: NONE  
SPECIAL INSTRUCTIONS: NONE  
FILE NAME AND LOCATION: S:\PSC\CMP\WP\020381.RCM

CASE BACKGROUND

On April 29, 2002, Access World, LLC filed an application to provide interexchange telecommunications service in Florida. During staff's review it was discovered that the application was incomplete and did not include the required financial, managerial and technical information.

On May 2, 2002, staff spoke with the company representative concerning this problem, and staff was informed that the needed information would be sent to complete the application. Staff called the company on June 25, 2002, and left a message requesting the information. On July 31, 2002, staff e-mailed the company representative and reiterated the need for the information to be sent in as soon as possible. On August 8, 2002 staff called the company, and left a message stating that the company also needed to be registered with the Florida Secretary of State's office as an approved foreign corporation conducting business in Florida. On

DOCUMENT NUMBER-DATE

03103 APR-28

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August 26, 2002, staff mailed a certified letter to the company's Chief Operating Officer listing the application and tariff deficiencies.

On September 4, 2002, the Division of the Commission Clerk and Administrative Services informed staff that mail for Access World, LLC was returned "signed and delivered" by the Post Office. The envelope was addressed to the official mailing address in the application. No response has been received.

The Commission is vested with jurisdiction in this matter pursuant to Sections 364.335 and 364.337, Florida Statutes.

#### DISCUSSION OF ISSUES

**ISSUE 1:** Should the Commission grant Access World, LLC a certificate to provide interexchange telecommunications service in the State of Florida as provided by Section 364.337, Florida Statutes?

**RECOMMENDATION:** No. The Commission should not grant Access World, LLC a certificate to provide interexchange telecommunications services in Florida and the application should be denied. (McCoy)

**STAFF ANALYSIS:** Access World, LLC submitted its application to provide interexchange telecommunications services on April 29, 2002. In its application, Access World, LLC failed to provide the required information. To date, the applicant has not responded to staff's numerous inquiries regarding the company's incomplete application or technical, financial, and managerial capabilities. Section 364.337(3), Florida Statutes, states in part:

The commission shall grant a certificate of authority to provide intrastate interexchange telecommunications service upon a showing that the applicant has sufficient technical, financial, and managerial capability to provide such service in the geographic area proposed to be served.

DOCKET NO. 020381-TI

DATE: APRIL 3, 2003

Due to the applicant's failure to respond to repeated requests for information necessary to process the application, staff does not believe it is in the public interest to grant a certificate to the applicant.

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes. This docket should be closed upon the issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order.  
(Dodson)

**STAFF ANALYSIS:** This docket should be closed upon the issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order.