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TX494

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COMMISSION
CLERK

JAMES E. MAGEE
CORINNE J. MAGEE
JENNIFER A. NEWBERRY

Of Counsel
KRISTIE STOKES HASSETT+
KATHRYN D. LECKEY
+Not Admitted in Virginia

November 17, 2003

030000-Pu

Ms. Blanca S. Bayo
Commission Clerk and
Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

VIA FEDERAL EXPRESS

Re: Application to Abandon Certification for Broadwing Local Services Inc.
(Original Docket No. 000906-TX, Authority No. T-00-1209)

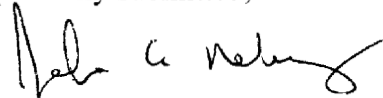
Dear Ms. Bayo:

On behalf of Broadwing Local Services Inc., enclosed please find an original and seven (7) copies of an Application to Abandon Certification. A receipt copy is also enclosed. Please date stamp the receipt copy and return it in the self-addressed, stamped envelope provided.

In the event you have any questions, or require further information, please contact the undersigned at (703) 356-7500.

AUS _____
CAF _____
CMP Christ, Dsker
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC I
OTH _____

Respectfully submitted,



Jennifer A. Newberry
Counsel for Broadwing Local
Services Inc.

Enclosures

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Th
FPSC-BUREAU OF RECORDS

**FLORIDA
PUBLIC SERVICE COMMISSION**

In the Matter of the Application of)
Broadwing Local Services Inc.)
("Broadwing") to Abandon Certification) Case No. _____

APPLICATION TO ABANDON CERTIFICATION

Broadwing Local Services Inc. ("Broadwing" or "Applicant"), through its attorney, hereby respectfully requests that the Florida Public Service Commission ("Commission") grant this Application to abandon certification to operate as an alternative local exchange company in the State of Florida.

Broadwing provides the following information in support of this Application:

1. Broadwing's name, address, telephone number, and fax number are:

Broadwing Local Services Inc.
201 East Fourth Street
Cincinnati, Ohio 45201
Telephone: (513) 397-1354
Facsimile: (513) 723-9815

Formerly located at:
1122 Capital of Texas Highway South
Austin, Texas 78746-6426
Telephone: (512) 742-2647
Facsimile: (512) 328-7902

Applicant was certified under the name Broadwing Local Services Inc. on

DOCUMENT NUMBER 11585

11585 NOV 18 8

FPSC-DOMINION TELECOM

December 7, 2000, in Docket No. 000906-TX, Order No. PSC-00-2176-PAA-TX and Consummating Order No. PSC-00-2378-CO-TX. Applicant proposes to abandon its certification on December 18, 2003.

Notices, orders and pleadings in this matter should be sent to:

Jennifer A. Newberry
The Magee Law Firm, PLLC
Suite 205
6845 Elm Street
McLean, Virginia 22101
Telephone: (703) 356-7500
Facsimile: (703) 356-6863
E-mail: jnewberry@mageelawfirm.com

3. Due to recent changes in Broadwing's business plans, Broadwing desires to abandon its certification in Florida. Further, Broadwing has never actually served local service customers in Florida. Thus, no customers will be affected by Broadwing's abandonment of its certification.

4. Broadwing is not aware of any outstanding taxes, fees or other amounts owed to the Commission or any other agency in Florida. Broadwing is willing to make satisfactory arrangements for the payment of any such amounts that may subsequently be discovered.

5. Broadwing does not maintain any facilities or equipment in Florida. Therefore, this Application will not result in the abandonment of any facilities.

6. On December 12, 2003, Broadwing filed with the Federal Communications Commission a request to discontinue the provision of intrastate resold local services in the District of Columbia, Florida, Michigan, New York and Texas, pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. §

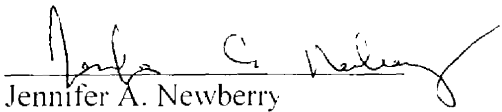
214(a), and Section 63.71 of the Federal Communications Commission's Rules, 47 C.F.R. § 63.71. (A copy of this request was sent to this Commission.)

7. An affidavit verifying this Application is attached hereto.

Wherefore, Broadwing respectfully requests that the Commission grant the instant Application authorizing Broadwing to abandon its certification and to withdraw from the State of Florida. Additionally, Broadwing requests that the Commission cancel its approved local exchange tariffs.

Respectfully submitted,

Broadwing Local Services Inc.

By: 
Jennifer A. Newberry
The Magee Law Firm, PLLC
Suite 205
6845 Elm Street
McLean, Virginia 22101
Telephone: (703) 356-7500
Facsimile: (703) 356-6863
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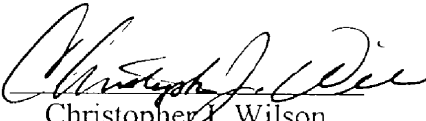
Attorney for Broadwing Local
Services Inc.

Dated: November 17, 2003

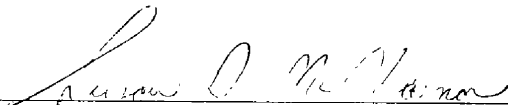
AFFIDAVIT

_____))
STATE OF OHIO))
_____)) ss
COUNTY OF HAMILTON))
_____))

I, Christopher J. Wilson, declare under penalty of perjury that I am Vice President and General Counsel of Broadwing Local Services Inc; that I have read the foregoing and know the contents thereof; that the same are true to the best of my knowledge, except as to the matters which are therein stated on information or belief, and as to those matters I believe them to be true.

By: 
Christopher J. Wilson
Vice President and General Counsel

Subscribed and sworn to before me
this 14th day of November, 2003



Notary Public

My Commission Expires: **Susan D. McClamon**
Notary Public, State of Ohio
~~My Commission Expires Mar. 10, 2006~~

Ruth Nettles

To: Paula Isler
Cc: Jackie Gilchrist
Subject: RE: Good afternoon

I'll place this filing in undocketed.

Thank you.

-----Original Message-----

From: Paula Isler
Sent: Tuesday, November 18, 2003 2:13 PM
To: Ruth Nettles; Jackie Gilchrist
Subject: RE: Good afternoon

Ruth, I'll let you know right away if the attorney e-mails me back and lets me know how the company is going to handle. Until then, you may want to document in undocketed.

-----Original Message-----

From: Ruth Nettles
Sent: Tuesday, November 18, 2003 12:40 PM
To: Jackie Gilchrist
Cc: Paula Isler
Subject: RE: Good afternoon

Okay, I'll wait on Paula's answer. Thanks, Jackie.

-----Original Message-----

From: Jackie Gilchrist
Sent: Tuesday, November 18, 2003 12:36 PM
To: Ruth Nettles
Cc: Paula Isler
Subject: RE: Good afternoon

If they do not owe RAFs, then you can open a docket.

-----Original Message-----

From: Ruth Nettles
Sent: Tuesday, November 18, 2003 12:11 PM
To: Jackie Gilchrist
Cc: Paula Isler
Subject: Good afternoon
Importance: High

Hi there.

I have a filing from Broadwing entitled: Application to abandon certification; they are requesting cancellation of CLEC certificate, although they mention local exchange tariffs. I was wondering if we can open a docket to process cancellation request. I'll fax you both a copy of the filing, shortly.

Thank you in advanced for your help.

Ruth

Ruth Nettles

From: Paula Isler
Sent: Tuesday, November 18, 2003 2:01 PM
To: 'jnewberry@mageelawfirm.com'
Cc: Ruth Nettles; Jackie Gilchrist
Subject: Broadwing Local Services Inc. (TX494)

Dear Ms. Newberry:

The Commission received your November 17, 2003, letter, along with an application to abandon Broadwing's CLEC certificate. Rule 25-24.820(2)(a), Florida Administrative Code, states:

(2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request. Cancellation of a certificate shall be ordered subject to the holder providing the required information.

(a) A statement of intent and date certain to pay Regulatory Assessment Fee.

The application to abandon the company's certificate complied with the cancellation rule except it did not provide the date certain the company would pay the fee. As information, the 2003 Regulatory Assessment Fee returns will be mailed mid-December and become due by January 30, 2004. The company can either go ahead and pay the \$50 minimum fee, since you stated the company had no revenues, or it can provide a date certain the fee will be paid. If the company chooses the former, I can fax you (or the company) the 2003 return. If you choose the latter, please mail a letter providing a date certain.

As soon as payment or the required information is received, a docket will be established to grant the company a voluntary cancellation. Please let me know how the company wishes to proceed or if you have any questions.

Paula Isler
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6502-Phone
(850) 413-6503-Fax
Pisler@psc.state.fl.us