

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 16, 2012
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Judy G. Harlow, Senior Analyst, Division of Regulatory Analysis *JGH*
RE: Docket No. 110303-OT

Please enter the following responses to staff survey regarding Rule 25-4.0161, F.A.C., in the docket file for Docket No 110303-OT. The responses were mailed or e-mailed directly to me.

1. Bealls Communications Group (1 page)
2. ITS Communications Systems, Inc. (3 pages)
3. Duke Net Communications, LLC (1 page)
4. Smart City Telecom (4 pages)

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK



March 13, 2012

Judy Harlow
C/O Ann Cole
Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Docket No. 110303-OT

At this time Bealls Communications Group does not have any business in the State of Florida. Therefore, we have no response at this time to the survey questions because there has been no impact to our company.

Sincerely,


Vicky Moody
General Manager



COMMUNICATIONS GROUP
YOUR FAVORITE PHONE SOLUTION

1509 Hickory Ave.
Panama City, FL 32405

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DIVISION OF
REGULATORY COMPLIANCE

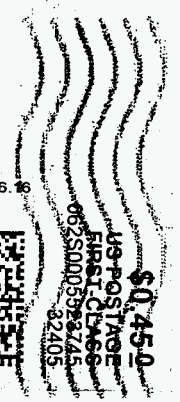
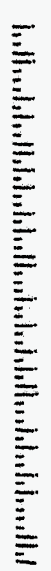
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Judy Harlow
C/O Ann Cole
Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Fl 32399-0850

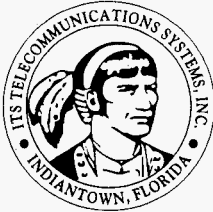
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ITS TELECOMMUNICATIONS SYSTEMS, INC.

15925 SW Warfield Blvd. • P. O. Box 277

Indiantown, Florida 34956

772-597-2111

12 MAR 16 AM 8:18

DIVISION OF
REGULATORY COMPLIANCE

March 13, 2012

Judy Harlow
c/o Ann Cole
Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Industry survey for legislative review of agency rules in effect on or before November 16, 2010
Docket No. 110303-OT

Dear Ms. Harlow;

Attached please find the completed survey questions per your request. My question to you is whether this survey was mailed out to the telephone companies, as I never received one. I found this online. Are we going to be receiving all of our data requests via online or will we still have them mailed to the companies? Another question to you is when will we be able to just email our answers instead of mailing these back to the FPSC? It gets costly mailing items as we have to send them registered.

If you should have any questions, please contact me at (772) 597-3161 or donnam@itstelecom.net. Thank you for your answers to my questions.

Sincerely,

Donna J. Marreel
Regulatory Manager

Rule 25-4.0161. F.A.C - Survey Questions

The following survey questions apply to **Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies**. For responding to these questions, please refer to Subsection 120,541(2), F.S., and Subparagraph 120.745(1)(b)2, F.S. "Transactional costs" are defined in Subparagraph 120.541 (2)(d), F.S., as:

...direct costs that are readily ascertainable based upon standard business practices, including filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule,

The company's response data to these survey questions should be provided for the entire rule, unless the response data is available by rule section, in which case we request the response data be provided by rule section. Please present data in annualized format, if possible, and all cost or benefit dollar estimates should be stated in nominal terms.

1. What are the estimated transactional costs resulting from the Company's compliance of Rule 25-4.0161, F.A.C, for the five year period beginning July 1,2011 ?
 - a. What are your actual transactional costs resulting from your Company's compliance with Rule 25-4.0161, F.A.C, for the period July 1,2011 through December 31,2011?

\$47.41 per hour. It takes less than an hour to fill out the RAF Form.

2. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small businesses (as defined by Section 288.703, F.S.) located in the Company's service territory, resulting from the compliance of Rule 25-4.0161, F.A.C, for the five year period beginning July 1,2011 ?

If there is any impact at all, there will probably be an increase of 1 to 2% per year on the hourly rate.

3. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small counties and small cities (as defined in Section 120.52, F.S.) located in the Company's service territory, resulting from the compliance of 25-4.0161, F.A.C, for the five year period beginning July 1,2011?

Same answer as in question #2.

4. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on entities located in the Company's service territory other than those specifically identified in Questions 2 and 3, resulting from the compliance of 25-4.0161, F.A.C, for the five year period beginning July 1,2011?

None

5. What expected impact do you believe Rule 25-4.0161, F.A.C, will have on economic growth,

Rule 25-4.0161, F.A.C. - Survey Questions

Page 2

private sector job creation or employment, and private sector investment for the five year period July 1,2011 in the Company's service territory?

There will be very little, if any, growth in our Company's rural service area in the next five years.

6. What expected impact do you believe Rule 25-4.0161, F.A.C, will have on business competitiveness, including the ability of persons doing business in the Company's service territory to compete with persons doing business in states other than Florida or other domestic markets, productivity, and innovation, for the five year period July 1,2011?

Given our rural geographic service area, there would be no impact on business competitiveness.

7. What are the benefits to your Company associated with Rule 25-4.0161, F.A.C?

The only benefit is that the Assessment Fee rate went down for telephone companies.

8. Since the December 4, 2011 rule change has your Company revised customer rates in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any rate changes that were made.

No, ITS Telecom did not revise our customer rates.

9. If the Company did revise customer rates after the rule change, what were the specific costs associated with processing and implementing these rate changes?

N/A

10. Does the Company anticipate having to revise customer rates in the future in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any anticipated rate changes for the five year period beginning July 1,2011.

I am answering this effective July 1, 2012. ITS Telecom is going to increase it's local residential rate to comply with the FCC Order and not because of the Rule 25-4.0101, F.A.C..

11. If the company anticipates revising customer rates in order to comply with Rule 25-4.0161, F.A.C, what costs does the company expect to incur to process and implement the rate changes for the five year period beginning July 1,2011?

As stated in question #10, we are not raising our rates to comply with Rule 25-4.0161, F.A.C., as it would not be necessary to do so under normal circumstances.

Judy Harlow

From: Kiwanis Curry
Sent: Thursday, March 15, 2012 2:23 PM
To: Judy Harlow
Subject: FW: Industry survey for legislative review of agency rules in effect on or before November 16, 2010

From: Williard, Sandy [mailto:Sandy.Williard@dukenet.com]
Sent: Thursday, March 15, 2012 2:14 PM
To: Kiwanis Curry
Subject: Industry survey for legislative review of agency rules in effect on or before November 16, 2010

DukeNet Communications received your request for response to the subject survey. We do not currently have any revenues to report and pay the minimum fee, we did not feel the survey applied.

Sandra D. Williard
DukeNet Communications, LLC
Suite 2900
400 South Tryon St
Charlotte, NC 28202-2043
Office: 704-382-1025, Mobile: 704-763-0993
Email: Sandy.Williard@dukenet.com

Judy Harlow

From: Hall, Lynn B. [LBHall@smartcity.com]
Sent: Tuesday, March 06, 2012 8:42 AM
To: Judy Harlow; Kiwanis Curry
Cc: Truesdale, Kathleen
Subject: Docket No. 110303-OT - RAF Rule Data Request
Attachments: SC Telecom - FPSC 01047-12_EIS data request - raf rule - all telecom (03-06-12).doc

Please see the attached Smart City Telecom response to the above referenced Data Request.

Lynn

Lynn B. Hall

Director - Customer Support, Contracts and Regulatory Affairs

P.O. Box 22555 | 3100 Bonnet Creek Road | Lake Buena Vista, FL 32830-2555

O: 407.828.6730 | F: 407.828.6701

E: lbhall@smartcity.com

Smart City

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Rule 25-4.0161, F.A.C. – Survey Questions

The following survey questions apply to **Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies**. For responding to these questions, please refer to Subsection 120.541(2), F.S., and Subparagraph 120.745(1)(b)2, F.S. “Transactional costs” are defined in Subparagraph 120.541(2)(d), F.S., as:

...direct costs that are readily ascertainable based upon standard business practices, including filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

The company’s response data to these survey questions should be provided for the entire rule, unless the response data is available by rule section, in which case we request the response data be provided by rule section. Please present data in annualized format, if possible, and all cost or benefit dollar estimates should be stated in nominal terms.

1. What are the estimated transactional costs resulting from the Company’s compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?
 - a. What are your actual transactional costs resulting from your Company’s compliance with Rule 25-4.0161, F.A.C., for the period July 1, 2011 through December 31, 2011?

There are no estimated or actual transactional costs resulting from Smart City Telecom’s compliance with Rule 25-4.0161, F.A.C.

2. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small businesses (as defined by Section 288.703, F.S.) located in the Company’s service territory, resulting from the compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

Smart City Telecom estimates that there will be no impact on small businesses located in our service territory, resulting from compliance with Rule 25-4.0161, F.A.C.

3. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small counties and small cities (as defined in Section 120.52, F.S.) located in the Company’s service territory, resulting from the compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

Smart City Telecom estimates that there will be no impact on small counties and small cities located in our service territory, resulting from compliance with Rule 25-4.0161, F.A.C.

4. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on entities located in the Company's service territory other than those specifically identified in Questions 2 and 3, resulting from the compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

Smart City Telecom estimates that there will be no impact on any other entities located in our service territory as a result of Rule 25-4.0161, F.A.C. for the 5 year period beginning July 1, 2011.

5. What expected impact do you believe Rule 25-4.0161, F.A.C., will have on economic growth, private sector job creation or employment, and private sector investment for the five year period July 1, 2011 in the Company's service territory?

Smart City Telecom does not expect that there will be any impact on economic growth, private sector job creation or employment, and private sector investment in our service territory for the 5 year period beginning July 1, 2011 as a result of Rule 25-4.0161, F.A.C.

6. What expected impact do you believe Rule 25-4.0161, F.A.C., will have on business competitiveness, including the ability of persons doing business in the Company's service territory to compete with persons doing business in states other than Florida or other domestic markets, productivity, and innovation, for the five year period July 1, 2011?

Smart City Telecom does not expect that there will be any impact on business competitiveness, including the ability of persons doing business in our service territory to compete with persons doing business in states other than Florida or other domestic markets, productivity, and innovation for the 5 year period beginning July 1, 2011 as a result of Rule 25-4.0161, F.A.C.

7. What are the benefits to your Company associated with Rule 25-4.0161, F.A.C.?

Any benefits to Smart City Telecom associated with Rule 25-4.0161, F.A.C. are negligible.

8. Since the December 4, 2011 rule change has your Company revised customer rates in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any rate changes that were made.

Smart City Telecom has not revised customer rates after the rule change.

9. If the Company did revise customer rates after the rule change, what were the specific costs associated with processing and implementing these rate changes?

N/A – see response to 8. above.

10. Does the Company anticipate having to revise customer rates in the future in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any anticipated rate changes for the five year period beginning July 1, 2011.

Smart City Telecom does not anticipate revising customer rates in order to comply with Rule 25-4.0161, F.A.C.

11. If the company anticipates revising customer rates in order to comply with Rule 25-4.0161, F.A.C., what costs does the company expect to incur to process and implement the rate changes for the five year period beginning July 1, 2011?

N/A – see response to 10. above.