

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for
certificate to provide
alternative local exchange
telecommunications service by
North County Communications
Corporation.

DOCKET NO. 001746-TX
ORDER NO. PSC-01-0466-PAA-TX
ISSUED: February 26, 2001

The following Commissioners participated in the disposition of
this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATE TO
PROVIDE ALTERNATIVE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service
Commission that the action discussed in this Order 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.

North County Communications Corporation has applied for a
certificate to provide alternative local exchange
telecommunications service, pursuant to Section 364.337, Florida
Statutes. Upon review of its application, it appears that North
County Communications Corporation has sufficient technical,
financial, and managerial capability to provide such service.
Accordingly, we hereby grant to North County Communications
Corporation Certificate No. 7764 which shall authorize it to
provide alternative local exchange telecommunications services
throughout the State of Florida.

DOCUMENT NUMBER-DATE

02596 FEB 26 2001

FPSO-REGISTRATION/REPORTING

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If this Order becomes final and effective, it shall serve as North County Communications Corporation's certificate. It should, therefore, be retained by North County Communications Corporation as proof of its certification. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.335 and 364.337, Florida Statutes.

Alternative local exchange telecommunications providers (ALECs) are subject to Chapter 25-24, Florida Administrative Code, Part XV, Rules Governing Telecommunications Service Provided by Alternative Local Exchange Companies. ALECs are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapters 25-4, Florida Administrative Code.

Pursuant to Section 364.337(2), Florida Statutes, basic telecommunications service provided by an ALEC "... must include access to operator services, "911" services, and relay services for the hearing impaired." Further, Section 364.337(2), requires that an ALEC's "911" service "... shall be provided at a level equivalent to that provided by the local exchange telecommunications company serving the same area."

Further, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed each December to North County Communications Corporation for payment in January. Neither the cancellation of the certificate nor the failure to receive a RAFs Return notice shall relieve North County Communications Corporation from its obligation to pay RAFs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant to North County Communications Corporation alternative local exchange telecommunications service Certificate No. 7764 subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as North County Communications Corporation's certificate and should be retained by


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North County Communications Corporation as proof of its certification. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" 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 26th day of February, 2001.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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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.

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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.

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 Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 19, 2001.

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 docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.