

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for transfer of and name change on IXC Certificate 69 from AT&T Communications of the Southern States, Inc. d/b/a Connect 'N Save d/b/a Lucky Dog Phone Co. and d/b/a ACC Business to AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service and d/b/a www.prepayserviceguide.com; request for transfer of and name change on AAV/ALEC Certificate 4037 from AT&T Communications of the Southern States, Inc. d/b/a AT&T to AT&T Communications of the Southern States, LLC d/b/a AT&T; request for cancellation of PATS Certificate 935; and application for PATS certificate by AT&T Communications of the Southern States, LLC d/b/a AT&T.

DOCKET NO. 011557-TP
ORDER NO. PSC-02-0064-PAA-TP
ISSUED: January 9, 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

DOCUMENT NUMBER-DATE

00293 JAN-98

FFSD-COMMISSION CLERK

ORDER NO. PSC-02-0064-PAA-TP
DOCKET NO. 011557-TP
PAGE 2

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF AND NAME CHANGE ON
ALTERNATIVE ACCESS VENDOR CERTIFICATE WITH ALTERNATIVE LOCAL
EXCHANGE TELECOMMUNICATIONS AUTHORITY AND INTEREXCHANGE
TELECOMMUNICATIONS CERTIFICATE; AND CANCELING PAY TELEPHONE
CERTIFICATE NO. 935 AND GRANTING CERTIFICATE
NO. 8019 TO PROVIDE PAY TELEPHONE SERVICE

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 November 13, 2001, AT&T Communications of the Southern States, Inc. (AT&T, Inc.) and AT&T Communications of the Southern States, LLC (AT&T, LLC) filed with this Commission a joint request for transfer of and name change on Alternative Access Vendor, with Alternative Local Exchange Telecommunications authority (AAV/ALEC), Certificate No. 4037 from AT&T Communications of the Southern States, Inc. d/b/a AT&T to AT&T Communications of the Southern States, LLC d/b/a AT&T, and transfer of and name change on Interexchange Telecommunications (IXC) Certificate No. 69 from AT&T Communications of the Southern States, Inc. d/b/a Connect 'N Save d/b/a Lucky Dog Phone Co. and d/b/a ACC Business to AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service and d/b/a www.prepaidserviceguide.com.

AT&T, Inc. further requested the cancellation of Pay Telephone (PATS) Certificate No. 935. AT&T, LLC applied for a certificate to provide PATS services pursuant to Section 364.3375, Florida Statutes, under the name AT&T Communications of the Southern States, LLC d/b/a AT&T.

AT&T, Inc. and AT&T, LLC have complied with Rule 25-24.730, Florida Administrative Code, regarding the transfer of AAV certificates. AT&T, Inc. and AT&T, LLC have also complied with Rule 25-24.473, Florida Administrative Code, regarding the transfer

of IXC certificates. We find the transfers to be in the public interest and, therefore, approve the transfers. AAV/ALEC Certificate No. 4037 shall be amended to reflect that AT&T, LLC is the holder of this certificate. IXC Certificate No. 69 shall be amended to reflect that AT&T, LLC is the holder of this certificate.

If this Order becomes final and effective, it shall serve as AT&T, LLC's certificates. AT&T, LLC should, therefore, retain this Order as proof of certification and as evidence of the name change. We are vested with jurisdiction over this matter pursuant to Sections 364.335 and 364.345, Florida Statutes.

AAV providers are subject to Chapter 25-24, Florida Administrative Code, Part XIV, Rules Governing Alternative Access Vendor Services. ALEC providers are subject to Chapter 25-24, Florida Administrative Code, Part XV, Rules Governing Telecommunications Service Provided by Alternative Local Exchange Companies. AAV and ALEC providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes.

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."

IXC providers are subject to Chapter 25-24, Florida Administrative Code, Part X, Rules Governing Telephone Service Provided by Interexchange Telephone Companies. IXC providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

AT&T, Inc. has further complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its Pay Telephone certificate and by submitting its Regulatory Assessment Fees for the year 2000. Accordingly, we find it appropriate to cancel PATS Certificate No. 935.

ORDER NO. PSC-02-0064-PAA-TP

DOCKET NO. 011557-TP

PAGE 4

Upon consideration of AT&T, LLC's application, it appears to be in the public interest to grant it PATS Certificate No. 8019. If this Order becomes final and effective, it shall serve as AT&T, LLC's certificate. It should, therefore, be retained as proof of certification. The effective date of the cancellation of PATS Certificate No. 935 will be the same effective date as the new PATS Certificate No. 8019 to avoid a break in service. We are vested jurisdiction over this matter pursuant to Sections 364.335 and 364.3375, Florida Statutes.

PATS providers are subject to Chapter 25-24, Florida Administrative Code, Part XI, Rules Governing Pay Telephone Service Provided by Other Than Local Exchange Telephone Companies. PATS providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for the year 2001 has been mailed to AT&T, Inc. for payment by January 30th. Neither the cancellation or transfers of its certificates nor the failure to receive a RAFs Return notice for the year 2001 shall relieve AT&T, Inc. from its obligation to pay RAFs for the year 2001.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request for transfer of and name change on Alternative Access Vendor Certificate No. 4037, with Alternative Local Exchange Telecommunications authority, from AT&T Communications of the Southern States, Inc. d/b/a AT&T to AT&T Communications of the Southern States, LLC d/b/a AT&T, is hereby approved. It is further

ORDERED that Alternative Access Vendor Certificate No. 4037, with Alternative Local Exchange Telecommunications authority, shall be amended to reflect that AT&T Communications of the Southern States, LLC d/b/a AT&T, is the holder of this certificate. It is further

ORDER NO. PSC-02-0064-PAA-TP
DOCKET NO. 011557-TP
PAGE 5

ORDERED that AT&T Communications of the Southern States, LLC d/b/a AT&T's Alternative Access Vendor Certificate No. 4037, with Alternative Local Exchange Telecommunications authority, is subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as AT&T Communications of the Southern States, LLC d/b/a AT&T's certificate and should be retained by AT&T Communications of the Southern States, LLC d/b/a AT&T as proof of certification and as evidence of the name change. It is further

ORDERED that the request for transfer of and name change on Interexchange Telecommunications Certificate No. 69 from AT&T Communications of the Southern States, Inc. d/b/a Connect 'N Save d/b/a Lucky Dog Phone Co. and d/b/a ACC Business to AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service and d/b/a www.prepaidserviceguide.com, is hereby approved. It is further

ORDERED that Interexchange Telecommunications Certificate No. 69 shall be amended to reflect that AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service and d/b/a www.prepaidserviceguide.com, is the holder of this certificate. It is further

ORDERED that AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service and d/b/a www.prepaidserviceguide.com's Interexchange Telecommunications Certificate No. 69 is subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service and d/b/a www.prepaidserviceguide.com's certificate and should be retained by AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a

ORDER NO. PSC-02-0064-PAA-TP
DOCKET NO. 011557-TP
PAGE 6

Unispeaksm Service and d/b/a www.prepayserviceguide.com as proof of certification and as evidence of the name change. It is further

ORDERED that the request by AT&T Communications of the Southern States, Inc. to cancel Pay Telephone Certificate No. 935 is hereby approved. It is further

ORDERED that we hereby grant Certificate No. 8019 to AT&T Communications of the Southern States, LLC d/b/a AT&T, which shall authorize it to provide Pay Telephone service, subject to the terms and conditions specified in the body of this Order. It is further

ORDERED that this Order shall serve as AT&T Communications of the Southern States, LLC d/b/a AT&T's certificate and should be retained by AT&T Communications of the Southern States, LLC d/b/a AT&T as proof of certification. It is further

ORDERED that AT&T Communications of the Southern States, Inc. shall remit Regulatory Assessment Fees for the year 2001. It is further

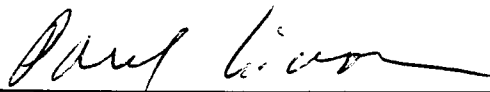
ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission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

ORDER NO. PSC-02-0064-PAA-TP
DOCKET NO. 011557-TP
PAGE 7

By ORDER of the Florida Public Service Commission this 9th
Day of January, 2002.

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



Paul Nichols, Chief
Administrative Services

(S E A L)

KMP

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.

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 January 30, 2002.

ORDER NO. PSC-02-0064-PAA-TP

DOCKET NO. 011557-TP

PAGE 8

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.