

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for relinquishment of eligible telecommunications carrier (ETC) designation in Florida, by Easy Telephone Services Company.

DOCKET NO. 130075-TX
ORDER NO. PSC-13-0209-PAA-TX
ISSUED: May 22, 2013

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

NOTICE OF PROPOSED AGENCY ACTION ORDER
ACKNOWLEDGING RELINQUISHMENT OF
ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION

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 (F.A.C.).

I. Case Background

By Order No. PSC-99-2530-PAA-TX, issued January 21, 2000, in Docket No. 991577-TX, the Florida Public Service Commission (the Commission) granted Competitive Local Exchange Company (CLEC) Certificate No. 7300 to Easy Telephone Services Company (Easy Telephone). By Order No. PSC-10-0125-PAA-TX, in Docket No. 090337-TX, we designated Easy Telephone as an Eligible Telecommunications Carrier (ETC) in the State of Florida throughout the non-rural wire centers of the AT&T Florida (AT&T) service area. On April 4, 2013, Easy Telephone filed a request to relinquish its ETC status. Easy Telephone does not wish to relinquish its CLEC certification since it plans to provide non-Lifeline service in Florida.

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FPSC-COMMISSION CLERK

We are vested with jurisdiction in this matter, pursuant to Section 364.10, Florida Statutes (F.S) and 47 C.F.R. §54.205.

II. Analysis

Federal rules allow an ETC to relinquish its ETC designation. 47 C.F.R. §54.205 provides that:

A state commission shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the state commission of such relinquishment.

We designated Easy Telephone as an ETC throughout AT&T's non-rural wire centers. Multiple ETCs serve this area at the present time. On April 4, 2013, Easy Telephone filed its request to relinquish its designation as an ETC in the State of Florida.

47 C.F.R. §54.205(b) provides that:

Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the state commission shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The state commission shall establish a time, not to exceed one year after the state commission approves such relinquishment under this section, within which such purchase or construction shall be completed.

III. Decision

The requirement to protect existing customers contained in 47 C.F.R. §54.205(b) is moot in this instance, since Easy Telephone has no customers. Therefore, we hereby acknowledge Easy Telephone's relinquishment of its ETC designation in AT&T Florida's non-rural wire centers without prejudice.

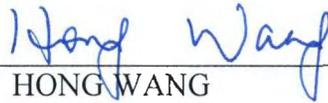
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Easy Telephone Services Company's Request to Relinquish its Eligible Telecommunications Carrier status in AT&T Florida's non-rural wire centers without prejudice is hereby acknowledged. 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, F.A.C., is received by the Office of Commission Clerk, 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.

By ORDER of the Florida Public Service Commission this 22nd day of May, 2013.



HONG WANG
Chief Deputy Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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.

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 Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 12, 2013.

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