

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide
local telecommunications service by Batchlink
Inc.

DOCKET NO. 20180098-TX
ORDER NO. PSC-2018-0500-PAA-TX
ISSUED: October 16, 2018

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
JULIE I. BROWN
DONALD J. POLMANN
GARY F. CLARK
ANDREW GILES FAY

ORDER TO VACATE
PROPOSED AGENCY ACTION ORDER NO. PSC-2018-0426-PAA-TX
AND CONSUMMATING ORDER NO. PSC-2018-0464-CO-TX
AND
NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATE OF AUTHORITY

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.).

On April 16, 2018, Batchlink Inc. submitted an application to provide local telecommunications service, which we approved at our August 7, 2018 Agenda Conference. On August 24, 2018, we issued Order No. PSC-2018-0426-PAA-TX, an "Order Granting Pay Telephone Certificate" in error. On September 18, 2018, Consummating Order No. PSC-2018-0464-CO-TX was also issued in error, which made the Proposed Agency Action effective and final. Due to a scrivener's error, Batchlink Inc. was granted a pay telephone certificate instead of the requested certificate of authority to provide telecommunication services. Therefore, Order Nos. PSC-2018-0426-PAA-TX and PSC-2018-0464-CO-TX are vacated, and this Proposed Agency Action Order is issued.

Batchlink Inc. (Batchlink) applied for a Certificate of Authority to provide telecommunications service, pursuant to Section 364.335, Florida Statutes (F.S.). Upon review of the application, it appears that Batchlink has sufficient technical, financial, and managerial capability to provide such service. Accordingly, we hereby grant Certificate of Authority No.

8922 to Batchlink, which shall authorize Batchlink to provide telecommunications service throughout the State of Florida.

Telecommunications service providers are required to comply with all applicable provisions of Chapter 364, F.S., and Chapter 25-4, F.A.C.

In addition, under Section 364.336, F.S., certificate holders must pay a minimum annual Regulatory Assessment Fee (RAF) if the certificate was active during any portion of the calendar year. A RAF Return notice will be mailed each December to Batchlink for payment by January 30th. Neither the cancellation of its certificate nor the failure to receive a RAF Return notice shall relieve Batchlink from its obligation to pay its RAF.

If this Order becomes final and effective, it will serve as Batchlink's certificate. Batchlink shall retain this Order as proof of its certification. We are vested with jurisdiction over this matter pursuant to Sections 364.335 and 364.336, F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order Nos. PSC-2018-0426-PAA-TX and PSC-2018-0464-CO-TX are hereby vacated. It is further

ORDERED that this docket shall remain open for the new Proposed Agency Action Order and associated protest period. It is further

ORDERED that Batchlink Inc.'s application for a Certificate of Authority is hereby granted. It is further

ORDERED that Batchlink Inc. is awarded Certificate of Authority No. 8922 which authorizes Batchlink Inc. to provide telecommunications service throughout the State of Florida, subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as Batchlink Inc.'s certificate and shall be retained by Batchlink Inc. as proof of certification. 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 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 16th day of October, 2018.



CARLOTTA S. STAUFFER
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.

RJT

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 November 6, 2018.

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.