

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

JUNE 13, 1996

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (WILLIAMS, WIGGINS) *W*  
DIVISION OF AUDITING & FINANCIAL ANALYSIS (LESTER) *W*  
DIVISION OF LEGAL SERVICES (EDMONDS) *U R*

RE: DOCKET NO. 960555-TX; APPLICATION FOR CERTIFICATE TO  
PROVIDE ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS  
SERVICE BY PREFERRED CARRIER SERVICES, INC. *APC*

AGENDA: 06/25/96 - REGULAR AGENDA - PROPOSED AGENCY ACTION -  
INTERESTED PERSONS MAY PARTICIPATE *W*

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\960555TX.RCM

CASE BACKGROUND

Section 364.337(1), Florida Statutes, reads as follows:

(1) Upon this act becoming a law, a party may file an application for a certificate as an alternative local exchange telecommunications company before January 1, 1996, and the commission shall conduct its review of the application and take all actions necessary to process the application. However, an application shall become effective no sooner than January 1, 1996. The commission shall grant a certificate of authority to provide alternative local exchange service upon a showing that the applicant has sufficient technical, financial, and managerial capability to provide such service in the geographic area proposed to be served. In no event may an alternative local exchange telecommunications company offer basic local telecommunications services within the territory served by a company subject to Chapter 364.052,

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Florida Statutes, prior to January 1, 2001, unless the small local exchange telecommunications company elects to be regulated under Chapter 364.051, Florida Statutes, or provides cable television programming services directly or as video dialtone applications authorized under 47 U.S.C., Chapter 214, except as provided for in compliance with part II of this chapter. It is the intent of the Legislature that the commission act expeditiously to grant certificates of authority under this section and that the grant of certificates not be affected by the application of any criteria other than that specifically enumerated in this subsection.

**STAFF DISCUSSION**

**ISSUE 1:** Should the Commission grant PREFERRED CARRIER SERVICES, INC. (PCS) a certificate to provide statewide alternative local exchange telecommunications service within the State of Florida as provided by Section 364.337(1), Florida Statutes?

**RECOMMENDATION :** Yes, PCS should be granted:

**Florida Public Service Commission Certificate No. 4682**

**STAFF ANALYSIS:** Pursuant to Section 364.337 (1), Florida Statutes (effective July 1, 1995), PCS filed an appropriate application with this Commission on May 2, 1996, to conduct alternative local exchange service in Florida.

PCS's exhibit of managerial, technical and financial capabilities were exhibited in Docket No. 951363-T1, when the Commission granted PCS Certificate No. 4407, effective March 22, 1996 to conduct interexchange telecommunications service in Florida. In that recommendation, the Division of Auditing and Financial Analysis had reviewed PCS's financial statement to determine the company's viability. Based on the information provided by PCS, the financial capability of the company was adequate.

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**ISSUE 2:** Should the Commission require PREFERRED CARRIER SERVICES, INC. (PCS) to provide access to 911 service effective on the date the company begins to provide basic local telecommunications service at a level equivalent to the 911 access services of the LEC serving in the same area?

**RECOMMENDATION:** Yes.

**STAFF ANALYSIS:** To ensure that Florida end users are allowed high quality access to emergency services, Section 364.337(2) provides that each alternative local exchange telecommunications company that provides basic local telecommunications service must provide access to 911 services.

The Commission has no specific rules on what a LEC or an ALEC must provide in terms of 911 service access. Section 364.337(2), F.S., requires that an ALEC must include access to 911 in its basic service but does not define what type of 911 services must be provided. This could result in an ALEC offering access to 911 service which is inferior in some way to the 911 service access provided by the LEC in that same area. For example, a LEC might provide both automatic number identification (telephone number) and automatic location (address) information to the public safety answering point while the ALEC might only provide the telephone number of the calling party.

Inferior 911 access could result in loss of life which is not something that can be corrected at a later date. The issue of 911 access was to some extent addressed in the number portability docket and the individual local interconnection agreements. If that issue is ultimately resolved, we may be able to remove this provision, but for now, it should be a specific requirement of the order that the ALEC's 911 service be at a level equivalent to that provided by the LEC serving that same area.

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ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes, if no person whose substantial interests are affected by the Commission's Proposed Agency Action files a protest within 21 days of the issuance date of the order.

STAFF ANALYSIS: Accordingly, this docket should be closed if no person whose substantial interests are affected by the Commission's Proposed Agency Action files a protest within 21 days of the issuance date of the order.



MEMBER  
COMPTEL

May 13, 1996

Records Section  
 Florida Public Service Commission  
 Division of Communications, Certification & Compliance Section  
 250 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-0866

MEMBER  
ACTA

RE: Docket # 960555-TX

Dear Sir or Madam:

Pursuant to the Commission's letter of May 3, 1996, **Preferred Carrier Services, Inc.** hereby requests a copy of the Case Assignment and Scheduling Record or CASR as it is now ten days after establishment of the docket. Please fax it to (214) 756 - 6015.

MEMBER  
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Should there be any question or additional information required, please feel free to contact me. Thank you

Sincerely,

Preferred Carrier Services, Inc.

Anne Gardsbane  
 General Counsel

*LE faxed 5-13*

Professional  
Certification  
Services

State of Florida

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF RECORDS &  
REPORTING  
BLANCA S. BAYÓ  
DIRECTOR  
(904) 413-6770

## Public Service Commission

May 3, 1996

Anne Gardsbane, Esquire  
c/o Preferred Carrier Services, Inc.  
1425 Greenway Drive, Suite 210  
Irving, Texas 75038

Re: Docket No. 960555-TX

Dear Ms. Gardsbane:

This will acknowledge receipt of an application for certificate to provide alternative local exchange telecommunications service by Preferred Carrier Services, Inc., which was filed in this office on May 2, 1996 and assigned the above-referenced docket number. Appropriate staff members will be advised.

A tentative schedule of events in your docket (referred to as a Case Assignment and Scheduling Record or CASR) should be available, upon request, ten (10) working days after establishment of the docket. You may contact the Records Section at (904) 413-6770 or by fax at (904) 413-7118 to request that a copy of the case schedule be faxed or mailed to you. The schedule of events provides you with an opportunity to anticipate completion stages of work in the docket. These dates are subject to change; therefore, you may wish to call the Records Section periodically to obtain revised schedules for your docket. For firm dates of hearings or other activities, please look to the Commission's official notices and orders. You can also obtain information on your docket by accessing the PSC HomePage on the Internet, at <http://www.state.fl.us/psc/>.

Sincerely,

Matilda A. anders  
Commission Deputy Clerk