

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 970372-TX Date Docketed: 03/25/1997 Title: Application for certificate to provide alternative local exchange telecommunications service by FiberSouth of Florida, Inc. d/b/a FiberSouth, Inc.
 Company: FiberSouth, Inc. (FiberSouth of Florida, Inc. d/b/

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: ADM AFA APP CAF (CMJ) EAG GCL LEG RAR RRR WAW
 ("(") indicates OPR) _____ X _____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B1(a)

Staff Assignments

OPR Staff T Williams, J Strong

Staff Counsel K Pena

OCRs (AFA) P Lester

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 06/12/1997

Initials: OPR _____
 Staff Counsel _____

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (904) 413-6770
 Current CASR revision level

2

Due Dates

Previous Current

1. Staff Recommendation	06/12/1997	08/06/1997
2. Agenda - Regular	06/24/1997	08/18/1997
3. PAA Order - Automatic Closing	07/14/1997	09/07/1997
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	CL	DS	GR	JN	KS		
X							

- Prehearing Officer

Commissioners					ADM
CL	DS	GR	JN	KS	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JLJ/ly
 Date: pending - 6/18/97

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 ("(") indicates OPR) _____ X _____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B1(a)

Staff Assignments

OPR Staff T Williams, J Strong

Staff Counsel K Pena

OCRs (AFA) P Lester

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 Current CASR revision level

1

1. Staff Recommendation
2. Agenda - Regular
3. PAA Order - Automatic Closing
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Due Dates

Previous Current

	Previous	Current
1. Staff Recommendation	05/07/1997	06/12/1997
2. Agenda - Regular	05/19/1997	06/24/1997
3. PAA Order - Automatic Closing	06/10/1997	07/14/1997
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 05/08/1997

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	CL	DS	GR	JN	KS		
X							

- Prehearing Officer

Commissioners					ADM
CL	DS	GR	JN	KS	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JLJ/ly
 Date: Pending- 5/13/97

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 970372-TX Date Docketed: 03/25/1997 Title: Application for certificate to provide alternative local exchange telecommunications service by FiberSouth of Florida, Inc. d/b/a FiberSouth, Inc.
 Company: FiberSouth, Inc. (FiberSouth of Florida, Inc. d/b/

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: _____
 ("(") indicates OPR)

ADM	AFA	APP	CAF	(CMJ)	EAG	GCL	LEG	RAR	RRR	WAW
_____	<u>X</u>	_____	_____	<u>X</u>	_____	_____	<u>X</u>	_____	_____	_____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B1(a)

Staff Assignments

<u>OPR Staff</u>	<u>T Williams, J Strong</u>
_____	_____
_____	_____
<u>Staff Counsel</u>	<u>K Pena</u>
<u>OCRs (AFA)</u>	<u>P Lester</u>
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 Current CASR revision level

0

	Due Dates	
	Previous	Current
1. Staff Recommendation	NONE	05/08/1997
2. Agenda - Regular	NONE	05/20/1997
3. PAA Order - Automatic Closing	NONE	06/10/1997
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Recommended assignments for hearing and/or deciding this case:
 Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 04/02/1997

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	CL	DS	GR	JN	KS		
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- Prehearing Officer

Commissioners					ADM
CL	DS	GR	JN	KS	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____
 Date: 04/02/1997

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Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 970372-TX Date Docketed: 03/25/1997 Title: Application for certificate to provide alternative local exchange telecommunications service by FiberSouth of Florida, Inc. d/b/a FiberSouth, Inc.
Company: FiberSouth, Inc. (FiberSouth of Florida, Inc. d/b/

Official Filing Date: _____
Last Day to Suspend: _____ Expiration: _____

Referred to: _____
("()" indicates DPR)

ADM	AFA	APP	CAF	(CMU)	EAG	GCL	LEG	RAR	RRR	WAW
___	<u>X</u>	___	___	<u>X</u>	___	___	<u>X</u>	___	___	___

Section 2 - DPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module BI(a)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (904) 413-6770
Current CASR revision level**

Staff Assignments

DPR Staff _____

Staff Counsel _____
DCRs () _____

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	Due Dates	Due Dates	
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Recommended assignments for hearing and/or deciding this case:
Full Commission _____ Commission Panel _____
Hearing Examiner _____ Staff _____
Date filed with RAR: _____
Initials: DPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	CL	DS	GR	JN	KS		

- Prehearing Officer

Commissioners					ADM
CL	DS	GR	JN	KS	

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: / / _____

ORDER NO. PSC-97-0879-FOF-TX
DOCKETS NOS. 970757-TX, 970372-TX, 970486-TX, 970495-TX,
970572-TX, 970602-TX
PAGE 2

The entities listed below have applied for certificates to provide alternative local exchange telecommunications service (ALEC), pursuant to Section 364.337, Florida Statutes. Upon review of their applications, it appears that these entities have sufficient technical, financial, and managerial capability to provide such service. Accordingly, we hereby grant to each of these entities the certificates depicted below, which shall authorize them individually to provide alternative local exchange telecommunications services statewide, except that the ALEC may not offer basic local telecommunications service within the territories of earnings-regulated small local exchange companies, as set forth in Section 364.337(1), Florida Statutes.

<u>ENTITY NAME</u>	<u>CERTIFICATE NUMBER</u>
Quintelco, Inc.	
FiberSouth of Florida, Inc. d/b/a FiberSouth, Inc.	5163
Business Telecom, Inc. d/b/a BTI	5195
Local Line America, Inc.	5193
Connect USA, Inc.	5199
World Telecommunications Services, Inc.	5204

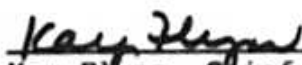
If this Order becomes final and effective, it shall serve as each entity's certificate. It should, therefore, be retained by each entity as proof of its certification.

In addition, Section 364.337(2), Florida Statutes, requires ALECs which provide basic local telecommunications service to provide access to 911 services. This Commission has no rules specifying the 911 services that either an incumbent local exchange company (ILEC) or an ALEC must provide; however, 911 service that is inferior to that provided by the ILEC would clearly not be in the public interest. Accordingly, we find that Section 364.337(2), Florida Statutes, requires ALECs which provide basic local telecommunications services to provide at least the same level of 911 services as that provided by the ILEC serving the same area.

ORDER NO. PSC-97-0879-FOF-TX
DOCKETS NOS. 970757-TX, 970372-TX, 970486-TX, 970495-TX,
970572-TX, 970602-TX
PAGE 4

By ORDER of the Florida Public Service Commission, this 23rd
day of July, 1997.

BLANCA S. BAYÓ, Director
Division of Records and Reporting



Kay Flynn, Chief

By: Bureau of Records and Reporting

(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 or judicial review of Commission orders that is available under Sections 120.57 or 120.68, 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 or judicial review 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 and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This

ORDER NO. PSC-97-0879-FOF-TX
DOCKETS NOS. 970757-TX, 970372-TX, 970486-TX, 970495-TX,
970572-TX, 970602-TX
PAGE 5

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 August 13, 1997.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

FLORIDA PUBLIC SERVICE COMMISSION
Capital Circle Office Center • 2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED

M E M O R A N D U M

JULY 2, 1997

JUL 01 1997

^{12:00}
FPSC - Records/Reporting

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

FROM: DIVISION OF COMMUNICATIONS (WILLIAMS, STRONG) (BA)
DIVISION OF AUDITING & FINANCIAL ANALYSIS (DRAPER)
DIVISION OF LEGAL SERVICES (PENA) VP MCB

RE: REQUEST FOR APPROVAL TO PROVIDE ALTERNATIVE LOCAL
EXCHANGE SERVICE IN FLORIDA.

AGENDA: 07/15/97 - CONSENT AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE

SPECIAL INSTRUCTIONS: NONE

Please place the following alternative local exchange
service docket on the consent agenda for approval.

1. **Docket No. 970372-TX**; Application for certificate to
provide alternative local exchange communications
service by FIBERSOUTH OF FLORIDA, INC. d/b/a
FIBERSOUTH, INC.

Florida Public Service Commission Certificate No. 5163

DOCUMENT NUMBER - DATE

06580 JUL-15

FPSC - RECORDS/REPORTING



Public Service Commission

ORIGINAL FILE COPY

-M-E-M-O-R-A-N-D-U-M-

DATE: April 22, 1997
 TO: Tom Williams, Division of Communications
 FROM: Pete Lester, Division of Auditing and Financial Analysis *PL ALM APC 4/22/97*
 RE: Docket No. 970372-TX, FiberSouth of Florida, Inc., Financial Analysis for Certificate Application for Alternative Local Exchange Telecommunications Service

Section 364.337 (1), Florida Statutes, requires the following:

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.

Also Section 364.01 (3) and (4) states that:

(3) The Legislature finds that the competitive provision of telecommunications service, including local exchange telecommunications service, is in the public interest.

and

(4)(d) The Commission shall exercise its exclusive jurisdiction in order to: (d) Promote competition by encouraging new entrants into telecommunications markets . . .

Regarding the showing of financial capability, the Finance staff has analyzed the audited financial statements of FiberSouth of Florida, Inc. (FiberSouth). The company requested and was granted confidentiality for its financial statements.

In this matter, FiberSouth is asking for a certificate to provide alternative local exchange telecommunications service. Staff notes the limited nature of the application. For purposes of granting a certificate based on the financial information provided, staff does not consider the financial ratios of FiberSouth to be an impediment to its application.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
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The applicant attests to its financial capability to provide and maintain the proposed telecommunications service. Based on this showing, the applicant appears to meet the financial capability standard of Section 364.337, Florida Statutes.

cc: Division of Legal Services
Division of Records and Reporting

DOCUMENT NUMBER - DATE

04212 APR 25 97

FPSC-RECORDS/REPORTING

State of Florida

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



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

Public Service Commission

March 26, 1997

Mr. Thomas M. Forte
FiberSouth, Inc.
Post Office Drawer 200
Winter Park, Florida 32790-0200

Re: Docket No. 970372-TX

Dear Mr. Forte:

This will acknowledge receipt of an application for certificate to provide alternative local exchange telecommunications service, by FiberSouth of Florida, Inc., d/b/a FiberSouth, Inc., which was filed in this office on March 25, 1997 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (904) 413-6078 or FAX (904) 413-6079.

Division of Records and Reporting
Florida Public Service Commission