



Public Service Commission

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

DATE: July 13, 1998
TO: Paula Isler, Division of Communications
FROM: David J. Draper, Division of Auditing and Financial Analysis *DD*
RE: Docket No. 980259-TI, Orbinet, Inc., Financial Analysis for Certificate Application for Intrastate Interexchange Telecommunications Service *ALM APC*

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 . . .

In this matter, Orbinet, Inc. is asking for a certificate to provide intrastate interexchange telecommunications service. However, staff is unable to make a determination of the company's financial capability. Staff has made numerous requests for the company's financial statements since February 25, 1998, and to this date has not received the requested financial information.

For this reason, the Finance staff is unable to determine if the applicant meets the financial capability standard of Section 364.337, Florida Statutes.

- ACK _____
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 - SEC 1
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- cc: Division of Legal Services
 Division of Records and Reporting (2)