

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

IN RE: PROPOSED AMENDMENTS TO RULES 25-24.471, F.A.C.,
AND 25-24.810, F.A.C.

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: October 15, 1998

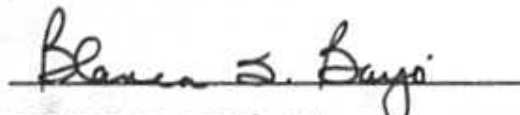
NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rules 25-24.471 and 25-24.810, Florida Administrative Code, to amend provisions relating to Applications for Certificate.

The attached Notice of Proposed Rule Development will appear in the October 23, 1998, edition of the Florida Administrative Weekly. If timely requested and not deemed unnecessary by the Commission, a rule development workshop will be held upon timely notice.

The request must be submitted in writing and received by Diana Caldwell, Division of Appeals, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than November 13, 1998.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

By Direction of the Florida Public Service Commission, this 15th day of October, 1998.



BLANCA S. BAYÓ, Director
Division of Records & Reporting

(S E A L)

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NOTICE OF PROPOSED RULE DEVELOPMENT
FLORIDA PUBLIC SERVICE COMMISSION

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RULE TITLE:	RULE NO.:
Application for Certificate	25-24.471
Application for Certificate	25-24.810

PURPOSE AND EFFECT: The purpose of the proposed amendments is to provide notice to applicants of specific deficiencies in their application and set time limits during which a person must provide information to staff related to the application for certificate. The effect will be a more orderly and timely processing of applications.

SUBJECT AREA TO BE ADDRESSED: Notice as to when an application is deemed filed and time frames applicant must meet for filing for a certificate to provide alternative local exchange service and interexchange service.

SPECIFIC AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 364.32, 364.33, 364.33, 364.335, 364.337, 364.345, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO DIANA CALDWELL, DIVISION OF APPEALS, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT

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IS: Ann Causseaux, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-24.471 Application for Certificate.

(1) An applicant desiring to apply for a certificate shall submit an application on Commission Form PSC/CMU 31 (XX/XX) ~~(12/96)~~, which is incorporated into this rule by reference. Form PSC/CMU 31 (XX/XX) ~~(12/96)~~, entitled "Application Form for Authority to Provide Interexchange Telecommunications Service Between Points Within the State of Florida" may be obtained by contacting the Commission's Division of Communications. A non-refundable application fee of \$250.00 must accompany the filing of all applications.

(2) An original and six ~~12~~ copies of the application shall be filed with the Division of Records and Reporting.

(3) - (d) No Change.

(5)(a) A person's application for a certificate to provide service as an interexchange carrier will be deemed filed when the appropriate filing fee has been paid and all requirements of Rule 25-24.471 have been met.

(b) The Bureau of Certification and Compliance within the Division of Communications is responsible for determining whether the applicant has met the filing requirements imposed by this rule.

(6) The Bureau shall review the application to determine if sufficient information is provided and shall notify the applicant of any deficiencies. Interexchange carriers whose application is found deficient shall have 30 calendar days, beginning from the date of the notification of a deficiency, to correct any deficiencies.

(7) All deficiencies should be corrected within the 30 days. If the applicant fails to correct all deficiencies within the designated time, the applicant will be notified that failure to correct any remaining deficiencies within 20 days of the second notification date shall cause the application to be dismissed without prejudice.

(8) Notification of deficiency shall be by certified mail.

Specific Authority 350.127(2) FS.

Law Implemented ~~364.03~~, 364.32, 364.33, 364.335, 364.337, 364.345
FS.

History--New 2-23-87, Amended 5-8-91, 11-20-91, 12-22-92, 10-10-94,
3-13-96, 12-9-96, _____.

25-24.810 Application for Certificate.

(1) An applicant for a certificate shall submit an application on Form PSC/CPMU 8 ~~(XX/XX) (12/95)~~, which is incorporated into this rule by reference. Form PSC/CMU 8 ~~(XX/XX) (12/95)~~, entitled "Application Form for Authority to Provide Alternative Local

Exchange Service Within the State of Florida", may be obtained by contacting the Commission's Division of Communications. A non-refundable application fee of \$250.00 must accompany the filing of each application.

(2) No Change.

(3) (a) A person's application for a certificate to provide service as an alternative local exchange carrier will be deemed filed when the appropriate filing fee has been paid and all requirements of Rule 25-24.810 have been met.

(b) The Bureau of Certification and Compliance within the Division of Communications is responsible for determining whether the applicant has met the filing requirements imposed by this rule.

(4) The Bureau shall review the application to determine if sufficient information is provided and shall notify the applicant of any deficiencies. Alternative local exchange carriers whose application is found deficient shall have 30 calendar days, beginning from the date of the notification of a deficiency, to correct any deficiencies.

(5) All deficiencies should be corrected within the 30 days. If the applicant fails to correct all deficiencies within the designated time, the applicant will be notified that failure to correct any remaining deficiencies within 20 days of the second notification date shall cause the application to be dismissed without prejudice.

(6) Notification of deficiency shall be by certified mail.

Specific Authority 350.127(2) FS.

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Law Implemented 364.335 FS.

History--New 12-27-95, Amended_____.