

MEMORANDUM

November 20, 1998

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RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (WATTS) *CBW/NLB*

RE: DOCKET NO. 981307-TX - Notification by Paramount Wireless Communications Corporation of Florida of intent to provide alternative local exchange telecommunications service pursuant to Section 364.337(6)(b), F.S., under AAV Certificate No. 4035, and request for name change from Paramount Wireless Communications Corporation of Florida to Columbia Telecommunications, Inc. d/b/a axessa.

98-15103-FDF-TX

Attached is a Notice of Proposed Agency Action Order Acknowledging Authority to Provide Alternative Local Exchange Telecommunications Services Under Alternative Access Vendor Certificate and Order Approving Name Change to be issued in the above-referenced docket. (Number of pages in order - 5)

CBW/slh
Attachment
cc: Division of Communications
I:981307or.cbw

see 2

*faxed - 11/10.
mailed -*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Notification by
Paramount Wireless
Communications Corporation of
Florida of intent to provide
alternative local exchange
telecommunications service
pursuant to Section
364.337(6)(b), F.S., under AAV
Certificate No. 4035, and
request for name change from
Paramount Wireless
Communications Corporation of
Florida to Columbia
Telecommunications, Inc. d/b/a
axessa.

DOCKET NO. 981307-TX
ORDER NO. PSC-98-1563-FOF-TX
ISSUED: November 23, 1998

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION
ORDER ACKNOWLEDGING AUTHORITY TO PROVIDE
ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES
UNDER ALTERNATIVE ACCESS VENDOR CERTIFICATE AND
ORDER APPROVING NAME CHANGE

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 formal proceeding
pursuant to Rule 25-22.029, Florida Administrative Code.

DOCUMENT NUMBER-DATE

13197 NOV 23 98

FPSC-RECORDS/REPORTING

Authority to Provide Alternative Local Exchange Services

Pursuant to Section 364.337(6)(b), Florida Statutes, any company holding a certificate of public convenience and necessity to provide Alternative Access Vendor (AAV) services as of July 1, 1995, and wishing to provide Alternative Local Exchange Telecommunications (ALEC) services, may do so, effective January 1, 1996, by furnishing written notice of its intentions to this Commission.

Paramount Wireless Communications Corporation of Florida (Paramount Wireless), holder of AAV Certificate of Public Convenience and Necessity No. 4035, has served the Commission with a Notice of Intent to provide ALEC services under its AAV certificate. Having considered Paramount Wireless's Notice of Intent, we acknowledge its authority to provide ALEC services under its AAV Certificate No. 4035, in accordance with Section 364.337(6)(b), Florida Statutes.

AAV services providers are subject to Chapter 25-24, Florida Administrative Code, Part XIV, Rules Governing Alternative Access Vendor Services, as well as the terms and conditions of Order No. 24877, issued August 2, 1991.

ALEC providers are subject to Chapter 25-24, Florida Administrative Code, Part XV, Rules Governing Telecommunications Service Provided by Alternative Local Exchange Companies. ALECs are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-24, Florida Administrative Code.

In addition, Section 364.337(2), Florida Statutes, requires ALECs that provide basic local telecommunications service to provide access to 911 services. ALECs that provide basic local telecommunications services must provide at least the same level of 911 services as that provided by the incumbent local exchange company serving the same area.

If this Order becomes final and effective, it shall serve as Paramount Wireless's authority to provide ALEC services, under its AAV Certificate No. 4035. Paramount Wireless should, therefore, retain this Order as proof of its authority.

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Approval of Name Change

By letter dated October 9, 1998, Paramount Wireless, holder of AAV Certificate No. 4035, with authority to provide ALEC services, requested that Certificate No. 4035 be amended to reflect the new corporate name, Columbia Telecommunications, Inc. d/b/a axessa. Upon review of the records of the Department of State, Division of Corporations, it appears that Paramount Wireless has properly registered the new corporate name. Accordingly, we find it appropriate to amend Certificate No. 4035 to reflect the new operating name.

This Order will serve as the amended AAV Certificate No. 4035, with authority to provide ALEC services, for Columbia Telecommunications, Inc. d/b/a axessa. Columbia Telecommunications, Inc. d/b/a axessa should retain this Order as evidence of the name change.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Paramount Wireless Communications Corporation of Florida is hereby granted authority under Alternative Access Vendor Certificate No. 4035 to provide Alternative Local Exchange Telecommunications services, subject to the terms and conditions specified in the body of this Order. It is further

ORDERED that this Order shall serve as Paramount Wireless Communications Corporation of Florida's authority to provide Alternative Local Exchange Telecommunications services, under Alternative Access Vendor Certificate No. 4035. Paramount Wireless Communications Corporation of Florida should retain this Order as proof of authority. It is further

ORDERED that, as an alternative local exchange company which provides basic local telecommunications services, Paramount Wireless Communications Corporation of Florida shall provide at least the same level of 911 services as that provided by the incumbent local exchange company serving the same area. It is further

ORDERED that the request by Paramount Wireless Communications Corporation of Florida to change the name on Certificate No. 4035 from Paramount Wireless Communications Corporation of Florida to

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Columbia Telecommunications, Inc. d/b/a axessa is hereby approved.
It is further

ORDERED that this Order will serve as Columbia Telecommunications, Inc. d/b/a axessa's amended Alternative Access Vendor certificate, with authority to provide alternative local exchange telecommunications services, and that this Order should be retained as evidence of the name change. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" 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 23rd day of November, 1998.



KAY FLYNN, Chief
Bureau of Records

(S E A L)

CBW

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

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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. 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 Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 14, 1998.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date.

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.