

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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IN RE: PROPOSED AMENDMENT TO RULE 25-24.567, F.A.C.,  
APPLICATION FOR CERTIFICATE

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: March 17, 1999

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rule 25-24.567, Florida Administrative Code, to amend provisions relating to application for certificate to provide shared tenant service.

The attached Notice of Proposed Rule Development will appear in the March 26, 1999, edition of the Florida Administrative Weekly. If timely requested and not deemed unnecessary by the Commission, a rule development workshop will be held at a time and place that will be announced.

The request must be submitted in writing and received by Diana Caldwell, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, no later than April 9, 1999.

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 17th day of March, 1999.

BLANCA S. BAYÓ, Director  
Division of Records & Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

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contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ann Causseaux, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-24.567 Application for Certificate.

(1) An applicant desiring to provide shared tenant service shall submit an application on Commission Form PSC/CMU 37 ~~(XX/XX)-(7/97)~~, which is incorporated into this rule by reference. Form PSC/CMU 37 ~~(XX/XX)-(7/97)~~, entitled "Application Form for Authority to Provide Shared Tenant Service," may be obtained by contacting the Commission's Division of Communications. A non-refundable application fee of \$100.00 must accompany the filing of all applications.

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

(3) A certificate will be granted if the Commission determines that such approval is in the public interest.

(4) Any shared tenant service authority granted hereafter is subject to the following:

(a) Shared tenant authority granted to all companies is on a statewide basis and is restricted to tenants as defined in Section 25-24.560(10), F.A.C.

(b) Each shared tenant service applicant shall:

1. Advise all customers of its current rates and conditions for resold local exchange service and its quality of service standards.

2. Inform each customer in advance of agreement to provide service, that the Florida Public Service Commission will not set rates or regulate the service quality standards.

(c) A certificate to provide shared tenant service does not carry with it the authority to provide alternative local exchange telecommunication, alternative access vendor, interexchange or pay telephone service. A separate application must be made for such authority.

(5) (a) An application for a certificate to provide shared tenant service will be deemed filed when the appropriate filing fee has been paid and all requirements of Rule 25-24.567 have been met.

(b) The Bureau of Service Evaluation 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 the information required on Form PSC/CMU 37 is provided and shall notify the applicant by certified mail if the application is incomplete. Shared tenant service providers whose application is found incomplete shall have 30 calendar days beginning from the date of the notification to provide the additional information to the Bureau.

(7) If the applicant fails to provide the completed information for the application within the designated time, the

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application will be dismissed by the Chief of the Bureau without  
prejudice and the docket shall be closed administratively.

Specific Authority 350.127(2) FS.

Law Implemented 364.33, 364.335, 364.339, 364.345 FS.

History--New 1-28-91, Amended 5-8-91, 11-20-91, 7-29-97.