



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

RECORDS AND REPORTING
JUN 24 AM 9:33
RECEIVED-PPSC

DATE: June 24, 1999

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

FROM: DIVISION OF COMMUNICATIONS (WILLIAMS) *WJ*
DIVISION OF LEGAL SERVICES (PENA) *CB*

RE: DOCKET NO. 981958-TX - APPLICATION FOR CERTIFICATE TO PROVIDE ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICE BY FIRST CHOICE LOCAL COMMUNICATIONS, INC.

AGENDA: 07/06/99 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\981958.JG

CASE BACKGROUND

On December 24, 1998, First Choice Local Communications, Inc. filed an application for a certificate to provide alternative local exchange telecommunications service in Florida. To date, the company has not submitted the required Secretary of State, Division of Corporations information to have a complete application on file with this Commission.

Further, in a telephone conversation with one of our regulatory analyst, the owner stated he was aware of the fact that if the company was not registered with the Secretary of State, Division of Corporations his application may be denied. Therefore, staff has prepared a recommendation to deny First Choice Local Communications, Inc.'s application as an alternative local exchange telecommunications service provider in Florida.

DOCUMENT NUMBER-DATE
981958 JUN 24 99
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FPSC-RECORDS/REPORTING

June 24, 1999

REVISED

STAFF DISCUSSION

ISSUE 1: Should FIRST CHOICE LOCAL COMMUNICATIONS, INC's application for certification to provide alternative local exchange telecommunication service within the State of Florida be denied?

RECOMMENDATION: Yes.

STAFF ANALYSIS: As explained in the Case Background of this recommendation, FIRST CHOICE LOCAL COMMUNICATIONS, INC. has failed to register with the Secretary of State, Division of Corporations to conduct business in the State of Florida. Further, in a telephone conversation on April 20, 1999, with one of our regulatory analyst in the Division of Auditing and Financial Analysis, the applicant stated that he was aware that his application may be denied.

Therefore, staff recommends that this application be denied and the docket be closed.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, this docket should be closed upon the issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action. (Peña)

STAFF ANALYSIS: Whether staff's recommendation on Issue 1 is approved or denied, the result will be a proposed agency action order. If no timely protest to the proposed agency action is filed within 21 days of the date of issuance of the Order, this docket should be closed upon the issuance of a Consummating Order.