



Public Service Commission

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DATE: SEPTEMBER 23, 1999

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

FROM: DIVISION OF COMMUNICATIONS (WILLIAMS);
DIVISION OF LEGAL SERVICES (PENNY) *WMP UB*

RE: DOCKET NO. 981536-T1 - APPLICATION FOR CERTIFICATE TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE BY ONE TEL, INC.

AGENDA: 10/05/99 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMJ\WP\981536.RUM

CASE BACKGROUND

On November 2, 1998, One Tel, Inc. filed an application for a certificate to provide interexchange telecommunications service in Florida. To date, the company has not submitted the required tariff information to have a complete application on file with this Commission.

Therefore, staff is recommending that One Tel, Inc.'s application for a certificate to operate as an interexchange telecommunications service provider in Florida be denied.

DOCUMENT NUMBER-DATE

11450 SEP 23 99

PSC-RECORDS/REPORTING

STAFF DISCUSSION

ISSUE 1: Should a certificate be granted to ONE TEL, INC. to provide interexchange telecommunication service within the State of Florida?

RECOMMENDATION: No. One Tel, Inc. has failed to submit the required tariff information to have a complete application.

STAFF ANALYSIS: Pursuant to Rule 25-24.480, Tariffs, Florida Administrative Code, ONE TEL, INC.'s application does not satisfy our certification requirements.

As mentioned in the Case Background of this recommendation, ONE TEL, INC. has failed to forward to this Commission a completed tariff. Further, staff has requested in several phone conversations and by fax, dated March 16, 1999, that this information needs to be provided before the application can be processed. Therefore staff filed a recommendation on June 24, 1999, to deny the application. On June 30, 1999, staff received a request from the company's attorney to withdraw staff's recommendation from the July 6, 1999 Agenda Conference. Also, in the company's request, staff was informed that the tariff would be provided in the very near future. To date, nothing has been received. Since this docket was open on November 5, 1998, staff believes there has been more than enough time to file a tariff.

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

ISSUE 2: Should this docket be closed?

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

Docket No. 981536-TI
September 23, 1999

STAFF ANALYSIS: Whether staff's recommendation on Issue 1 is approved or denied, the results 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 the Consummating Order.