



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

DATE: DECEMBER 9, 1999

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (10)

FROM: DIVISION OF COMMUNICATIONS (WILLIAMS) *TEC*
DIVISION OF LEGAL SERVICES (PENA) *KMP BK*

RE: DOCKET NO. 990643-TI - APPLICATION FOR CERTIFICATE TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE BY COM TEC COMMUNICATIONS OF POMPANO BEACH, INCI.

AGENDA: 12/21/99 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\990643.RCM

RECEIVED-FPSC
99 DEC -9 AM 11:29
RECORDS AND REPORTING

CASE BACKGROUND

On May 18, 1998, COM TEC Communications of Pompano Beach, 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, because of this failure to submit the required tariff, staff is recommending that COM TEC Communications of Pompano Beach, Inc.'s application for a certificate to operate as an interexchange telecommunications service provider in Florida be denied.

DOCUMENT NUMBER-DATE

15072 DEC-99

FPSC-RECORDS REPORTING

STAFF DISCUSSION

ISSUE 1: Should a certificate be granted to COM TEC COMMUNICATIONS OF POMPANO BEACH, INC. (COM TEC) to provide interexchange telecommunication service within the State of Florida?

RECOMMENDATION: No. COM TEC COMMUNICATIONS OF POMPANO BEACH, 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, COM TEC's application does not satisfy our certification requirements.

As mentioned in the Case Background of this recommendation, COM TEC has failed to forward to this Commission a completed tariff. Further, staff has requested in several phone conversations and by letter, dated October 28, 1999, that this information be provided to this Commission by November 31, 1999. To date, no tariff information has been provided to staff.

Therefore, staff is recommending that this application be denied.

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)

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 the Consummating Order.