



Public Service Commission

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01 JAN - 6 AM 11:42

DATE: JANUARY 6, 2000

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BR/6)

FROM: DIVISION OF COMMUNICATIONS (WILLIAMS) [Signature]
DIVISION OF LEGAL SERVICES (PFNA) [Signature]

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

AGENDA: 01/18/00 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\981536.COM

CASE BACKGROUND

On November 5, 1998, One Tel, Inc. filed an application for a certificate to provide interexchange telecommunications service in Florida. The application lacked the required tariff information and was, therefore, incomplete. Staff repeatedly contacted One Tel, Inc. and requested that this information be provided before the application could be processed. One Tel, Inc. did not respond.

Therefore, staff recommended denying One Tel, Inc.'s application for a certificate. The Commission approved staff's recommendation and denied One Tel's application by Order No. PSC-98-2118-PAA-TI, issued October 25, 1999. By letter filed November 5, 1999, One Tel, Inc. protested the Commission's decision, thereby rendering it a nullity. One Tel also provided the required tariff information to complete the application.

Based on the information provided with One Tel's protest, staff now believes that One Tel's application for an IXC certificate should be approved.

DOCUMENT NUMBER-DATE

00214 JAN-68

-PSC-PLANS/REPORTING

DISCUSSION OF ISSUES

ISSUE 1: Should a certificate be granted to One Tel, Inc. to provide Interexchange telecommunication service within the State of Florida?

RECOMMENDATION: Yes. Staff recommends that the Commission grant One Tel, Inc. Interexchange Certificate No. 7040. (Williams)

STAFF ANALYSIS: Commission Order No. PSC 99-2118-PAA-TI has been rendered a nullity by One Tel's protest of the Commission's decision. One Tel has, however, provided the information requested by staff and has satisfied the requirements of Rule 25-24.480, Tariffs, Florida Administrative Code. The application demonstrates that One Tel satisfies the certification requirements.

In addition, staff notes that One Tel has been cooperative and has provided a satisfactory explanation as to why they did not respond to staff's earlier requests for the tariff information in a timely manner. Therefore, staff does not believe any other action is necessary.

Based on the foregoing, staff recommends that the Commission grant One Tel, Inc. Interexchange Certificate No. 7040.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation, 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. If staff's recommendation is denied, staff recommends that this matter be set for hearing and the docket should remain open pending the outcome of the proceedings. (Pena)

STAFF ANALYSIS: If the Commission approves staff's recommendation, 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. If staff's recommendation is denied, staff recommends that this matter be set for hearing and the docket should remain open pending the outcome of the proceedings.