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**ORIGINAL**

July 3, 2000

**VIA HAND DELIVERY**

Blanca S. Bayo, Director  
Division of Records and Reporting  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0870

Re: Docket No.: 000218-TX

Dear Ms. Bayo:

On behalf of Alternative Telecommunications Services, Inc., d/b/a Second Chance Phone, enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Protest of Proposed Agency Action Order No. PSC-00-0231-PAA-TX.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me in the envelope provided. Thank you for your assistance.

Yours truly,

*Vicki Gordon Kaufman*  
Vicki Gordon Kaufman

DOCUMENT NUMBER-DATE  
**08067 JUL-38**  
FPSC-RECORDS/REPORTING

APP  
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MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN, ARNOLD & STEEN, P.A.

*orig to Hong Done 7/07/00*

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

ORIGINAL

In re: Initiation of show cause proceedings against Alternative Telecommunications Services, Inc. d/b/a Second Chance Phone for apparent violation of Section 364.183(1), F.S., Access to Company Records

Docket No. 000218-TX

Filed: July 3, 2000

**Protest of Proposed Agency Action Order No. PSC-00-0231-PAA-TX**

Alternative Telecommunications Services, Inc., d/b/a Second Chance Phone (ATSI), pursuant to rules 25-22.029 and 28-106.201, Florida Administrative Code, files this protest of PAA Order No. PSC-00-0231-PAA-TX. As grounds therefor, ATSI states:

**Introduction**

1. The name, address and telephone number of ATSI is:

Alternative Telecommunications Services, Inc.  
c/o Mike Rodgers  
9210 Weatherly Road, Suite 100  
Brooksville, Florida 34601  
1-800-797-0266

2. The name, address and telephone number of Petitioner's representative who should receive all pleadings, notices, correspondence and other information related to this docket is:

Vicki Gordon Kaufman  
McWhirter Reeves McGlothlin Davidson Decker Kaufman Arnold & Steen, PA  
117 South Gadsden Street  
Tallahassee, Florida 32301  
1-850-222-2525

**Substantial Interests**

3. In the proposed order which is the subject of this petition, the Commission proposes

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to cancel ATSI's certificate No. 5620 and to require ATSI to inform its customers that it can no longer provide local telecommunications services and to cease providing such service. ATSI has a significant customer base in Florida and cancellation of its certificate would greatly affect its substantial interests. This is the first show cause proceeding in which ATSI has been involved and the sanction of cancellation is very harsh considering that this is this company's first offense.

#### **How Notice of Agency Action was Received**

4. ATSI received notice of the Commission's proposed action when the proposed agency action order was received by mail.

#### **Disputed Issues of Fact**

5. Facts in dispute include, but are not limited to, the following:
- a. Whether the sanction of certificate cancellation is appropriate given the facts and circumstances of this particular case.

#### **Ultimate Facts Alleged and Rules and Statutes Entitling Petitioner to Relief**


6. Ultimate facts alleged include, but are not limited to, the following:
- a. ATSI's certificate should not be canceled given the facts and circumstances of this case.
7. Rules and statutes entitling Petitioner to relief include, but are not limited to, the following:
- a. Section, 364.01, Florida Statutes;
  - b. Rule 28-106.201, Florida Administrative Code;
  - c. Rule 28-106.201, Florida Administrative Code.

#### **Demand for Relief**

6. ATSI demands the following relief:

- a. That ATSI's certificate not be canceled; and
- b. That the Commission provide such other relief as it deems appropriate.

**WHEREFORE**, ATSI requests that the Commission schedule an informal meeting in this matter followed by a hearing on this matter if necessary as soon as possible and grant such other relief as is necessary and just.

  
\_\_\_\_\_  
Vicki Gordon Kaufman  
McWhirter Reeves McGlothlin Davidson  
Decker Kaufman Arnold & Steen, P.A.  
117 South Gadsden Street  
Tallahassee, Florida 32301  
1-850-222-2525

Attorneys for Alternative  
Telecommunications Services, Inc.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing **Protest of Proposed Agency Action Order No. PSC-00-0231-PAA-TX** was provided by (\*) hand delivery or U.S. Mail this 3<sup>rd</sup> day of July, 2000 to the following:

(\*) Diana Caldwell  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

  
Vicki Gordon Kaufman