

State of Florida



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-

DATE: APRIL 11, 2002

TO: DIRECTOR, DIVISION OF THE COMMISSION
ADMINISTRATIVE SERVICES (BAYÓ)

FROM: DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (PRUITT)
OFFICE OF THE GENERAL COUNSEL (TEITZMAN) *JK*

RE: DOCKET NO. 011597-TX - APPLICATION FOR CERTIFICATE TO
PROVIDE ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS
SERVICE BY TELETRONIC'S GROUP INC.

AGENDA: 04/23/02 - REGULAR AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\011597.RCM

RECEIVED-FPSC
APR 11 AM 9:56
COMMISSION CLERK

CASE BACKGROUND

On November 21, 2001, Teletronic's Group Inc. filed an application to provide alternative local exchange service in Florida. During staff's review it was discovered that the application did not include the required financial, managerial and technical information.

On December 6, 2001, staff spoke with the company representative concerning this problem and was informed that the needed information would be sent to complete the application. Staff called the company on January 2, 2002, and left a message requesting the information. On Monday, January 7, 2002, a message was left stating that staff would have the needed information by the end of that week. On March 5, 2002 staff called the company and left a message requesting the information.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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On March 6, 2002, the Division of the Commission Clerk and Administrative Services informed staff that mail for Teletronic's Group Inc. was returned and stamped "Not Deliverable as Addressed, Unable to Forward" by the Post Office. The envelope was addressed to the official mailing address in the application. On March 18, 2002, staff again left a message for a return call. No response was received.

The Commission is vested with jurisdiction in this matter pursuant to Sections 364.335 and 364.337, Florida Statutes.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant Teletronic's Group Inc. a certificate to provide alternative local exchange telecommunications service in the State of Florida as provided by Section 364.337, Florida Statutes?

RECOMMENDATION: No. The applicant should not be granted a certificate to provide alternative local exchange telecommunications service in Florida. (**Pruitt**)

STAFF ANALYSIS: To date, the applicant has not responded to staff's numerous inquiries regarding the company's technical, financial, and managerial capabilities. Section 364.337(1), Florida Statutes states in part:

The commission shall grant a certificate of authority to provide alternative local exchange service upon a showing that the applicant has sufficient technical, financial, and managerial capability to provide such service in the geographic area proposed to be served.

Due to the applicant's failure to respond to repeated requests for information necessary to process the application, staff does not believe it is in the public interest to grant a certificate to the applicant.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order. (**Teitzman**)

STAFF ANALYSIS: At the conclusion of the protest period, if no protest is filed, this docket should be closed upon the issuance of a consummating order.