

State of Florida



Public Service Commission
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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION CLERK

DATE: AUGUST 22, 2002

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

FROM: DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (T WILLIAMS) OFFICE OF THE GENERAL COUNSEL (L.DODSON)

RE: DOCKET NO. 020505-TI - APPLICATION FOR CERTIFICATE TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE BY NORTH AMERICAN TELEPHONE NETWORK, L.L.C.

AGENDA: 09/03/02 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\020505.RCM

CASE BACKGROUND

On March 8, 1996, North American Telephone Network, L.L.C. (NAT) submitted an application for a Certificate of Public Convenience and Necessity to the Florida Public Service Commission. Docket No. 960313-TI was opened to address the issue.

- June 14, 1996 - NAT was granted IXC Certificate No. 4460.
- June 26, 2001 - Staff opened Docket No. 010896-TI to cancel NAT's certificate for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.
- November 5, 2001 - NAT's Certificate No. 4460 was cancelled for failure to pay past due Regulatory Assessment Fees, statutory penalties, interest charges, and a \$500 fine as required in PSC Order No. PSC-01-1995-PAA-TI, issued October 8, 2001.

DOCUMENT NUMBER-DATE

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- June 12, 2002 - NAT submitted a new application for a certificate to provide interexchange telecommunications company (IXC) services and staff opened Docket No. 020505-TI.
- July 11, 2002 - NAT submitted a check in the amount of \$637.00 to pay for all past due Regulatory Assessment Fees, statutory penalties, interest charges, and the \$500 fine as required in PSC Order No. PSC-01-1995-PAA-TI, issued October 8, 2001.

The Commission is vested with jurisdiction in this matter pursuant to Sections 364.285, 364.33, 364.335 and 364.337, Florida Statutes. Accordingly, staff believes the following recommendation is appropriate.

RECOMMENDATION

ISSUE 1: Should the Commission grant North American Telephone Network, L.L.C. (NAT) a certificate to provide interexchange telecommunications services within the State of Florida.

RECOMMENDATION: Yes. The Commission should grant NAT,

Florida Public Service Commission Certificate No. 8166,

to provide IXC services within the State of Florida. (**T.WILLIAMS**)

STAFF ANALYSIS: NAT submitted its application to provide IXC telecommunications services on June 12, 2002. In its application, NAT satisfactorily met all of the Commission's requirements for certification. In addition, NAT signed an affidavit attesting to the fact that it has the technical, financial, and managerial qualifications to provide intrastate telecommunications services in Florida, as required in Section 364.337 (3), Florida Statutes. NAT further stated in a letter dated June 10, 2002, that it has implemented a plan with a new comptroller in place to ensure proper and timely reporting and payment of fees.

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NAT also forwarded to this Commission a check to cover all past due regulatory assessment fees, statutory penalties, interest charges, and the \$500 fine.

Accordingly staff recommends that NAT should be granted a certificate to provide interexchange telecommunications services within the State of Florida.

ISSUE 2: Should Docket No. 020505-TI be closed?

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

STAFF ANALYSIS: The docket should be closed upon issuance of a Consummation Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order.