

State of Florida

# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850



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

COMMISSION  
CLERK

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**DATE:** OCTOBER 24, 2002

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

**FROM:** DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (PRUITT) *y*  
OFFICE OF THE GENERAL COUNSEL (DODSON) *JAD*

**RE:** DOCKET NO. 020980-TX - APPLICATION FOR CERTIFICATE TO  
PROVIDE ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS  
SERVICE BY TRANS NATIONAL COMMUNICATIONS INTERNATIONAL,  
INC.

**AGENDA:** 11/05/02 - REGULAR AGENDA - PROPOSED AGENCY ACTION -  
INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMP\WP\020980.RCM

### CASE BACKGROUND

On December 11, 1996, this Commission granted Trans National Communications International, Inc. (National) Certificate No. 4728 to provide interexchange telecommunications service in Florida. On November 14, 2000, National was granted Certificate No. 7620 to provide alternative local exchange telecommunications service (ALEC) in Florida. On March 20, 2002, the ALEC certificate was canceled in Docket No. 011315-TX. The company failed to respond to Order No. PSC-02-0236-PAA-TX which required payment of the past due Regulatory Assessment Fees (RAFs) with statutory penalties and interest and imposed a \$500 fine.

On September 13, 2002, National submitted an application for a new ALEC certificate which included the payment of the fine, RAFs, and late fees. On September 23, 2002, the Commission

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received the company's letter of explanation concerning National's failure to timely file its ALEC RAFs.

There are no outstanding RAFs owed by National at this time. 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 Trans National Communications International, Inc. a certificate to provide alternative local exchange telecommunications service within the State of Florida as provided by Section 364.337(1), Florida Statutes?

**RECOMMENDATION:** Yes. Trans National Communications International, Inc. should be granted:

**Florida Public Service Commission Certificate No. 8244.**  
(Pruitt)

**STAFF ANALYSIS:** Section 364.337(1), Florida Statutes, reads:

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.

National filed an application with this Commission on September 13, 2002, to offer alternative local exchange telecommunications service in Florida. A review of the application indicates that the company appears to meet the requirements of Section 364.337(1), Florida Statutes.

In the letter received by the Commission on September 23, 2002, National explained that when the company received its ALEC certificate, National amended its IXC contract with an outside service company to include completing all necessary reports to retain its ALEC certification. Due to an operational error on the

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part of the service company this added responsibility was never communicated to the analyst responsible for the company's reports. The letter states, in part:

The situation with the outside service company has been rectified, and all future reports should be timely filed.

Although the Commission canceled National's certificate on March 20, 2002, staff accepts the company's representation that these oversights will not occur again. Therefore, staff recommends that the Commission grant Trans National Communications International, Inc. a certificate to provide alternative local exchange telecommunications service in Florida.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee of \$50 if the certificate is active during any portion of the calendar year. A Regulatory Assessment Fee Return notice will be mailed each December to National for payment in January.

**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. (Dodson)

**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.