



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:** FEBRUARY 20, 2003

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

**FROM:** DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (HAWKINS)  
OFFICE OF THE GENERAL COUNSEL (TAYLOR, B.) *Bea*

**RE:** DOCKET NO. 020326-TI - APPLICATION FOR CERTIFICATE TO  
PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE BY GAECOM  
TELECOMMUNICATION, LLC.

**AGENDA:** 03/04/03 - REGULAR AGENDA - PROPOSED AGENCY ACTION  
- INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\GCL\WP\020326.RCM

RECEIVED - FPSC  
03 FEB 20 AM 10:50  
COMMISSION CLERK  
*[Signature]*

CASE BACKGROUND

On April 11, 2002, Gaecom Telecommunication, LLC (Gaecom) submitted an application for a Certificate of Public Convenience and Necessity to the Florida Public Service Commission. Docket No. 020326-TI was opened to process the application.

A review of the application revealed that the required financial information was missing and the tariff was incomplete. Staff phoned Ms. Lisette Winans and left a message for her to call. She did not respond, but staff did speak with Mr. Ken Jacobi, attorney for the company, regarding the missing financial information and the incomplete tariff. Mr. Jacobi submitted a letter dated June 4, 2002 along with the corrected tariff, but no financial information. On July 8, staff contacted Mr. Jacobi and he advised staff that since the company was new, there was no financial information available.

DOCUMENT NUMBER - DATE

01772 FEB 20 8

FPSC-COMMISSION CLERK

Staff informed Mr. Jacobi that a projected profit and loss statement, credit references, or credit bureau reports would suffice. Staff followed up with phone calls and a letter dated August 2, 2002. Staff spoke with Mr. Jacobi on September 5, 2002 and was informed the information had been sent. Staff informed Mr. Jacobi that the PSC had not received it. Mr. Jacobi said he would re-send the information. Each time staff spoke with Mr. Jacobi, he indicated that the information would be submitted soon. On November 14, 2002, staff e-mailed Mr. Don Johnston of The Regum Group, and was informed that Mr. Jacobi was no longer with the firm. Mr. Johnston said he would research staff's request for the financial information. On January 18, 2003, staff received an e-mail from Mr. Johnston stating that he could not locate the information and was no longer interested in pursuing the matter.

On January 28, 2003, staff sent a certified letter to Mr. Gaetan Chapoteau, president of Gaecom, indicating that if the information was not received by February 3, 2003, staff would recommend that the company's application be denied. On February 3, 2003, staff received the certified mail return receipt card with Mr. Chapoteau's signature. Mr. Chapoteau signed an Affidavit that is included in the application which states that the undersigned officer attests to the accuracy of the documents and that the applicant has the technical expertise, managerial and financial ability to provide interexchange telecommunications service in Florida. To date, however, staff has not received the requested information.

Although contact with representatives of The Regum Group has been constant, staff has been unable to obtain the required information in order to process the company's application. Therefore, staff is recommending that Gaecom's application to provide interexchange telecommunications services be denied.

The Commission is vested with jurisdiction in this matter pursuant to Rule 25-24.470, Certificate of Public Convenience and Necessity Required, Florida Administrative Code. Accordingly, staff believes the following recommendation is appropriate.

DOCKET NO. 020326-TI  
DATE: FEBRUARY 20, 2003

**RECOMMENDATION**

**ISSUE 1:** Should the Commission grant Gaecom Telecommunications, Inc. (Gaecom) a certificate to provide interexchange telecommunications services within the State of Florida?

**RECOMMENDATION:** No. The Commission should not grant Gaecom a certificate to provide IXC services within the State of Florida and its application should be denied. **(HAWKINS)**

**STAFF ANALYSIS:** Gaecom submitted its application to provide IXC telecommunications services on April 11, 2002. In its application, Gaecom failed to provide the financial information required by Rule 25-24.470, Florida Administrative Code. As explained in the Case Background, staff has been in constant contact with the company, and to no avail Gaecom has not filed the financial information necessary to process its application.

Accordingly, staff recommends that Gaecom's application to provide interexchange telecommunications services within the State of Florida be denied.

**ISSUE 2:** Should Docket No. 020326-TI be closed?

**RECOMMENDATION:** Yes. This docket should be closed upon the issuance of a Consummating 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. **(TAYLOR, B.)**

**STAFF ANALYSIS:** This docket should be closed upon the issuance of a Consummating 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.