

ORIGINAL  
MILLER ISAR, INC.  
REGULATORY CONSULTANTS

ANDREW O. ISAR

7901 SKANSIE AVENUE,  
SUITE 240  
GIG HARBOR, WA 98335  
TELEPHONE: 253.851.6700  
FACSIMILE: 253.851.6474  
HTTP://WWW.MILLERISAR.COM

RECEIVED FPSC  
APR 28 AM 10:07  
COMMISSION  
CLERK

Via Overnight Delivery

April 25, 2003

Ms. Blanca Bayó  
Director, The Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

Re: Fox Communications Corporation - Application for Authority, Docket No. 03-0327-TI

Dear Ms. Bayó:

Enclosed for filing are an original and four (4) copies of amended pages 4 and 5, and new page 5.1 to Fox Communications Corporation's ("Fox") Application for Authority to provide interexchange telecommunications service throughout the State of Florida ("Application"). These amended pages and new page correct a scrivener's error contained in the original Application filed with the Florida Public Service Commission on April 7, 2003 and are intended to replace pages 4 and 5 in the original Application.

Please acknowledge receipt of this filing by date stamping and returning the additional copy of this transmittal letter in the self-addressed, postage-paid envelope enclosed for this purpose. Questions regarding this application may be directed to the undersigned.

Sincerely,

MILLER ISAR, INC.

Andrew O. Isar

Regulatory Consultants to  
Fox Communications Corporation

cc: Nancy Pruitt, FLPSC  
Robert Benson, Fox Communications Corporation

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

AUS  
CAF  
CMP  
COM  
CTR  
ECR  
GCL  
OPC  
MMS  
SEC  
OTH

Nonnye  
Hong

Date 4/30/03

DOCUMENT NUMBER-DATE

03863 APR 28 8

FPSC-COMMISSION CLERK

19. (a) Applicant currently offers retail telecommunications services in the States of Oregon and Washington.

(b) Applicant has an application pending in the State of California. Applicant has been granted interim operating authority in the Commonwealth of Pennsylvania pending a final Pennsylvania Public Utility Commission order. Applicant intends to make application for resold retail interexchange authority in more than half of the states.

(c) Applicant is authorized to provide retail telecommunications services in the State of Washington.

(d) Applicant has been denied authority to operate as an interexchange telecommunications company in the State of Florida for failure to pay annual regulatory assessments for the years 1990 and 1991, and failure to pay a fine for violation of Commission Rule 25-24.480, F.A.C. in 1991.

(e) Applicant's staff-calculated 1990 and 1991 regulatory assessment fees, non-payment penalty, and interest equal \$268.50.<sup>1</sup> Applicant was assessed a \$1,000.00 penalty on March 5, 1991, associated with its violation of Commission Rule 25-24.480, F.A.C. Applicant understands that pertinent regulatory assessment fees and associated interest must be paid prior to grant of the instant application. Payment is being remitted under separate cover, in accordance to staff computed fees and penalties.

(f) Applicant has not been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity.

(g) Applicant was first granted intrastate operating authority under Docket No. 910132-TI.2 At that time the company intended to enter Florida's interexchange market. Changes

---

<sup>1</sup> \$137.50 in 1990, and \$131.00 in 1992.

<sup>2</sup> Authority Number T-90-185 (1990).

in business strategy resulted in the Applicant's concentration on its northwest operations. New opportunities have lead Applicant to pursue the provision of interexchange services in Florida. Since 1991, there has been a wholesale change in Applicant's business strategy and management team. Applicant has employed in-house staff responsible for regulatory compliance and has engaged the services of a regulatory consulting firm to ensure that the company now remains in compliance of Commission rules.

20. (a) No officers, directors or any of the ten largest shareholders have been adjudged bankrupt, mentally incompetent or found guilty of a felony or of any crime. No proceedings are pending against any officers, directors or shareholders that may result in such a finding.

(b) Applicant's Chief Executive Officer and owner was Chief Executive Officer and owner of the Applicant at the time Applicant operated as a Florida certificated telephone company.

21. Applicant proposes to provide switched one-plus, toll free and postpaid calling card services throughout Florida at flat rates per minute or increments of a minute.

22. Applicant's proposed tariff is attached hereto as **Exhibit C**.

23. (a) Applicant's senior staff has extensive experience in the telecommunications industry. A summary of senior management experience appears as **Exhibit D**.

(b) Applicant's technical ability to provide service is entirely dependent on that of its underlying carrier(s).

(c) Applicant's financial statements, copies of which are attached as **Exhibit E**, demonstrate that Applicant has the financial viability to provide telecommunications services in the State of Florida. As a non-facilities-based provider of resold intrastate long-distance

telecommunications services, Applicant does not require construction of its own facilities or have plans to construct facilities. Therefore, Applicant requires no additional capitalization or financing, nor does it expect to incur other than incremental service expenses to provide intrastate service in Florida.

Commission approval of the instant Application will enable Applicant to offer the following long-term benefits to the public:

- (a) greater value to subscribers through lower-priced, better quality services;
- (b) increased consumer choice in telecommunications services;
- (c) efficient use of existing telecommunications resources, as well as increased diversification and reliability in the supply of telecommunications services; and
- (d) an additional tax revenue source for the State of Florida.

In addition, by utilizing existing carrier communications facilities, Applicant's service will further promote more efficient use of those facilities, and provide greater revenues for local exchange carriers.

(Signature on following page.)