

ORIGINAL

REQUEST FOR CHANGE TO AGENDA CONFERENCE HAND DELIVER

Date of Request: 11/25/2003 Date of Agenda Conference: December 2, 2003 Item No. 20 RECEIVED- FPSC

Docket No.: 030873-TX Brief Title: Utility USA, Inc. application for CLEC certificate 03 NOV 25 PM 2: 50

Requested by: Staff Other _____ (Name) COMMISSION CLERK

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

ACTION REQUESTED [see APM 2.11]

- Defer Item to Agenda Scheduled Date: - January 6, 2004 ⁴ 14
- Change Order of Item or Take Up at Time Certain
- Withdraw Item
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.
- Add Item to Published Agenda [see Section 120.525(2), F.S.] - Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

It has been brought to staff's attention that Mr. Oscar Nodarse, an officer and owner of Utility USA, may be continuing to use invalid letters of authorization (LOAs). The settlement offer (dated 11/5/03) claims that Mr. Nodarse used the invalid LOAs for a period less than two weeks and currently Mr. Nodarse, acting as an agent, has been using LOAs pre-approved by staff for another certificated CLEC. Based on this new information, staff requests that Item 20 be deferred to give staff more time to investigate this matter and review its recommendation in this docket.

Signature (OPR Staff): [Signature]

Initials (OPR Division Director or Designee): [Signature]

Signature (Legal Staff): [Signature]

Initials (Legal Division Director or Designee): [Signature]

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Approve Request Deny Request

Initials: MAB

Date: 11/25/03

Comments:

AUS
CAF CHAIRMAN'S OFFICE:

Approve Request Deny Request

CMP
COM Initials: QC

Date: 11/25/03

CTR
ECR Executive Suite will send the original to the Division of Commission Clerk and Administrative Services and return a copy to the requesting staff after the
GCL Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to
OPC the docket.

MMS
SEC
OTH Blanca

DOCUMENT NUMBER- DATE

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Rose PSC/EXD-1 (10/02)

Sandy

FPSC-COMMISSION CLERK