

ORIGINAL

State of Florida



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: July 15, 2005

TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director

FROM: Beth W. Salak, Director, Division of Competitive Markets & Enforcement
Beth Keating, Attorney Supervisor, Office of the General Counsel *AK KS*

RE: Docket No. 050451-TX Application for certificate to provide competitive local exchange telecommunications service by D-Tel, Inc. d/b/a Amigos Telefonica. *mm*

The application filed in Docket No. 050451-TX requests the Commission's approval for a transfer of certificate of D-Tel, Inc. The company experienced an internal reorganization and has new officers. D-Tel, Inc. will remain as the certificated entity, utilizing the price list currently on file with the Commission. The customers will realize no change. D-Tel, Inc.'s new officers will be controlling the entity and no transfer of certificate is necessary, however, a fictitious name has been added and a name change is the correct action required. Therefore, the docket title should be revised to read as:

Acknowledgment of name change on CLEC Certificate No. 8009, effective 6/30/05, from D-Tel, Inc. to D-Tel, Inc. d/b/a Amigos Telefonica.

Section 364.337(2), Florida Statutes, provides that competitive local exchange telecommunications companies (CLEC) are not subject to Section 364.33, Florida Statutes, Certificate of necessity prerequisite to construction, operation, or control of telecommunications facilities. Because CLECs are exempt from the requirements of Section 364.33, the applicant is not required to submit a request for transfer of control.

In addition, the applicant submitted payment of \$250 to the Commission. The check has already been deposited by Fiscal. Therefore, a refund payment of \$250 should be processed and sent to the applicant.

Cc: McCoy – Division of Competitive Markets & Enforcement

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- SEC 1
- DTH Kim P.

DOCUMENT NUMBER-DATE

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