

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-**

COMMISSION  
CLERK

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RECEIVED-FPSC

**DATE:** October 20, 2005

**TO:** Director, Division of the Commission Clerk & Administrative Services (Bayó)

**FROM:** Office of the General Counsel (Moore) *CM*  
Division of Competitive Markets & Enforcement (Kennedy)  
Division of Economic Regulation (Hewitt) *BA*

*RK* *[Signature]* *[Signature]* *JDJ*

**RE:** Docket No. 050681-TP – Proposed amendment of Rules 25-24.511, 25-24.512, 25-24.567, 25-24.569, 25-24.720, 25-24.730, 25-24.810, and 25-24.815, F.A.C., Application for Certificate; or Application for Approval of Assignment, or Transfer of Certificate.

**AGENDA:** 11/01/05 – Regular Agenda – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All

**PREHEARING OFFICER:** Edgar

**RULE STATUS:** Proposal Should Not Be Deferred

**SPECIAL INSTRUCTIONS:** None

**FILE NAME AND LOCATION:** S:\PSC\GCL\WP\050681.RCM.DOC

### Case Background

Section 364.335, Florida Statutes, requires an applicant for a certificate to provide telecommunications services to pay an application fee to the Commission in an amount not to exceed \$500. This amount was increased by the Legislature in 2005 from a maximum of \$250 to allow the Commission to collect an amount that more closely reflects its cost of processing applications. The Commission's current rules impose a fee of \$100 on an applicant for a pay telephone (PATS) certificate or a shared tenant services (STS) certificate, and a fee of \$250 for an applicant for an alternative access vendor (AAV) certificate or a competitive local exchange service (CLEC) certificate.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

A notice of proposed rule development to amend the rules to increase the fees was published in the July 1, 2005, edition of the Florida Administrative Weekly. The notice gave interested persons an opportunity to request a workshop to discuss the rule amendments. No workshop was requested, and none was held.

The Commission has rulemaking authority pursuant to Sections 120.54, 350.127, 364.33, 364.335, 364.337, 364.3375, 364.339, and 364.345, Florida Statutes.

### **Discussion of Issues**

**Issue 1:** Should the Commission amend Rules 25-24.511, 25-24.512, 25-24.567, 25-24.569, 25-24.720, 25-24.730, 25-24.810, and 25-24.815, Florida Administrative Code, to increase the fees charged for an application for a certificate or an application for approval of a sale, assignment, or transfer of certificate, and to revise the application forms to eliminate unnecessary information?

**Recommendation:** Yes.

**Staff Analysis:** The primary basis for recommending changes to the CLEC, PATS, AAV and STS certificate rules is to increase the fees charged by the Commission to process applications for a new certificate and the fees for the sale, transfer or assignment of an existing certificate. The new fees reflect the Commission's costs for processing the applications and vary depending upon the type of application. The result is intended to more fairly allocate the cost burden among applicants and current certificate holders.

Changes have also been made to the application forms for the four types of telecommunications companies to update them and to eliminate unnecessary or redundant requirements. In addition, due to technological improvements in the Commission's electronic support systems, applicants now need to file fewer copies of the application than the rules currently require.

**25-24.511, Application for Certificate:** Rule 25-24.511 requires a person to have a certificate to provide PATS. The rule incorporates by reference an application form and requires payment of an application fee of \$100. Staff recommends revising the rule to increase the application fee to \$250. In addition, the rule should be revised to delete subsection (5) which prohibits the issuance of a new certificate to any applicant who has previously had a certificate involuntarily cancelled. Currently, a pay telephone provider whose certificate has been cancelled as a result of, for example, non-payment of regulatory assessment fees, and who wishes to rectify the matter and remain in business, must petition for a waiver of the rule and reapply for certification. In contrast, CLECs, STS providers, and AAVs are not subject to the same or similar regulation. Staff believes that pay telephone providers should have the same opportunity to rectify matters with the Commission and reapply for certification. The Commission has the authority to deny certification if the circumstances warrant denial.

**25-24.512, Improper Use of a Certificate:** Rule 25-24.512 provides that no certificate authorizing PATS shall be sold, assigned, or transferred. Staff recommends amending the rule

to authorize applications for sale, assignment or transfer of a pay telephone certificate, and to change the title of the rule. New provisions incorporate the application form and require payment of an application fee of \$250. Consistent with Section 364.335, Florida Statutes, an application will be granted if the Commission determines that approval is in the public interest.

Pay telephone providers are not currently permitted to transfer a certificate. If an individual wants to convert the business to a corporation, then he must cancel the certificate bearing his name, and apply for a new certificate in the corporation's name. Other scenarios are just as cumbersome to the industry. The recommended amendment will allow pay telephone providers the same opportunity to transfer a certificate as currently afforded CLEC, STS, and AAV providers. From an historical perspective, the Commission in Order No. 21127, issued April 26, 1989, barred the sale, transfer, or assignment of a pay telephone certificate. In the early days of competitive pay telephone services, the Commission did not want an individual who was being sold, transferred, or assigned a pay telephone certificate being led to believe that the certificate had some intrinsic monetary value for which the previous holder should be compensated. The pay telephone business is no longer a fledgling industry, and the market is highly competitive. These factors should mitigate any concerns that existed in the late 1980s and early 1990s. The effect is that pay telephone applicants will have the same opportunity to apply for a certificate upon the sale, transfer or assignment as other types of telecommunications services providers.

**Rule 25-24.567, Application for Certificate:** Rule 25-24.567, Application for Certificate, provides that any person desiring to provide STS must submit an application for Commission approval. The rule incorporates an application form and requires payment of a fee of \$100. Staff recommends amending the rule to increase the fee to \$250 and to reduce the number of copies to be filed from six to two.

**Rule 25-24.569, Application for Approval of Assignment or Transfer of Certificate:** Rule 25-24.569 provides instructions for the assignment or transfer of a STS certificate. There is currently no requirement that a fee be paid. Staff recommends amending the rule to require payment of an application fee of \$250 and to reduce the number of copies of the form that must be filed from six to two. In addition, the rule should be amended to encompass applications for the sale of a certificate as well as transfer or assignment. This is consistent with Section 364.345(2), Florida Statutes.

**Rule 25-24.720, Application for Certificate:** Rule 25-24.720 requires an applicant seeking to provide AAV services to obtain a certificate. The rule incorporates by reference an application form and requires that an applicant submit 12 copies of the form and pay the Commission an application fee of \$250. Staff recommends amending the rule to reduce the number of required copies to two, and to update the form. The amount of the fee should remain the same.

**Rule 25-24.730, Application for Approval of Sale, Assignment, or Transfer of Certificate:** Rule 25-24.730 provides instructions for obtaining Commission approval for the sale, assignment or transfer of an AAV certificate. Staff recommends amending the rule to reduce the

Docket No. 050681-TP  
Date: October 20, 2005

number of required copies from twelve to two, and to update the form. The amount of the fee should remain at the current amount of \$250.

**Rule 25-24.810, Application for Certificate:** Rule 25-24.810 requires an applicant for a certificate to provide CLEC services to file an original and six copies of an application form, which is incorporated into the rule, and to pay an application fee of \$250. Staff recommends increasing the fee to \$400 and reducing the required form copies to two.

**Rule 25-24.815, Application for Approval of Assignment or Transfer of Certificate:** Rule 25-24.815 provides instructions for the assignment or transfer of a CLEC certificate. Staff recommends amending the rule to increase the application fee of \$250 to \$400, and to reduce the number of copies of the form that must be filed from six to two. In addition, the rule should be amended to include the term "sale" of a certificate as well as the transfer or assignment. This is consistent with the language in Section 364.345(2), the law implemented by this rule.

The recommended changes to the rules will increase the cost to most telecommunications certificate applicants by \$150 to \$250. For calendar year 2004, the Commission approved 124 certificates (4 AAV, 59 CLEC, 58 PATS, and 3 STS) authorizing AAV, CLEC, PATS, and STS services in Florida. Staff determined that the net cost impact using the fees in the recommended rule amendments is that the industry would have paid an additional \$18,000 to the Commission for application processing.

A Statement of Estimated Regulatory Cost is attached.

**Issue 2:** Should the docket be closed?

**Recommendation:** Yes, if no comments or requests for hearing are filed, the rule as proposed should be filed for adoption with the Secretary of State and the docket should be closed.

**Staff Analysis:** Unless comments or requests for hearing are filed, the rule as proposed may be filed for adoption with the Secretary of State without further action by the Commission. The docket may then be closed.

Attachments:

Rules

Statement of Estimated Regulatory Cost



1 telephone service shall not be sold, assigned or transferred by the holder without prior  
2 Commission approval.

3 (2) A person seeking to obtain a certificate by sale, assignment or transfer from the  
4 holder shall submit an application jointly with the certificate holder on Commission Form  
5 PSC/CMP 32 (xx/xx), entitled "Application Form for Authority to Provide Pay Telephone  
6 Service Within the State of Florida". The application form may be obtained from the Division  
7 of Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must  
8 accompany the filing of all applications to cover processing costs. The Commission's  
9 acceptance of the application fee does not imply that the application for sale, assignment or  
10 transfer of a certificate will be granted.

11 (3) An original and two copies of the application shall be filed with the Division of the  
12 Commission Clerk and Administrative Services.

13 (4) An application for sale, assignment or transfer of a certificate will be granted if the  
14 Commission determines that such approval is in the public interest.

15 (5) A certificate may be sold, assigned or transferred only as a whole.

16 Specific Authority 350.127(2) FS. Law Implemented 364.32, 364.33, 364.335, 364.337,  
17 364.3375, 364.345 FS. History--New 1-5-87, Amended 5-15-89,\_\_\_\_\_.

18

19 **25-24.567 Application for Certificate.**

20 (1) An applicant desiring to provide shared tenant service shall submit an application  
21 on Commission Form PSC/CMP 37 (~~xx/xx7/97~~), which is incorporated into this rule by  
22 reference. Form PSC/CMP 37 (~~xx/xx7/97~~), entitled "Application Form For Authority To  
23 Provide Shared Tenant Service Within the State of Florida," may be obtained by contacting  
24 the Commission's Division of Competitive Markets and Enforcement. A non-refundable  
25 application fee of \$250.00 \$100.00 must accompany the filing of all applications.

1 (2) An original and two ~~six~~ copies of the application shall be filed with the Division of  
2 the Commission Clerk and Administrative Services.

3 (3) A certificate will be granted if the Commission determines that such approval is in  
4 the public interest.

5 (4) Any shared tenant service authority granted hereafter is subject to the following:

6 (a) Shared tenant authority granted to all companies is on a statewide basis and is  
7 restricted to tenants as defined in subsection 25-24.560(10), F.A.C.

8 (b) Each shared tenant service applicant shall:

9 1. Advise all customers of its current rates and conditions for resold local exchange  
10 service and its quality of service standards.

11 2. Inform each customer in advance of agreement to provide service, that the Florida  
12 Public Service Commission will not set rates or regulate the service quality standards.

13 (c) A certificate to provide shared tenant service does not carry with it the authority to  
14 provide competitive local exchange telecommunication, alternative access vendor,  
15 interexchange or pay telephone service. A separate application must be made for such  
16 authority.

17 Specific Authority 350.127(2) FS.

18 Law Implemented 364.33, 364.335, 364.339, 364.345 FS.

19 History—New 1-28-91, Amended 5-8-91, 11-20-91, 7-29-97, \_\_\_\_\_.

20

21 **25-24.569 Application for Approval of Sale, Assignment or Transfer of**  
22 **Certificate.**

23 (1) A company desiring to obtain a certificate by sale, assignment or transfer from the  
24 holder thereof shall submit an application jointly with the certificate holder on Commission  
25 Form PSC/CMP 37 (~~xx/xx-7/97~~), which is incorporated into this rule by reference. Form

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions  
from existing law.

1 PSC/CMP 37 (~~xx/xx7/97~~) is entitled "Application Form for Authority to Provide Shared  
2 Tenant Service Within the State of Florida." The application form may be obtained by  
3 contacting the Commission's Division of Competitive Markets and Enforcement. A  
4 nonrefundable application fee of \$250.00 must accompany each application. The  
5 Commission's acceptance of the application fee does not imply that the application for sale,  
6 assignment or transfer of a certificate will be granted.

7 (2) An original and two ~~six~~ copies of the application shall be filed with the Division of  
8 the Commission Clerk and Administrative Services.

9 (3) An application for sale, assignment or transfer of a certificate will be granted if the  
10 Commission determines that such approval is in the public interest.

11 (4) A certificate may be sold, assigned or transferred only as a whole.  
12 Specific Authority 350.127(2) FS. Law Implemented 364.32, 364.33, 364.335, 364.337,  
13 364.339, 364.345 FS. History—New 1-28-91, Amended 11-20-91, 7-29-97, \_\_\_\_\_.

14

15 **25-24.720 Application for Certificate.**

16 (1) An applicant seeking to provide Alternative Access Vendor service shall submit an  
17 application on Commission Form PSC/CMP 43 (~~xx/xx1/95~~), entitled "Application Form for  
18 Authority to Provide Alternative Access Vendor Service within the State of Florida," which is  
19 incorporated into this rule by reference. The form may be obtained from the Division of  
20 Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must  
21 accompany each application to cover processing costs. The Commission's acceptance of the  
22 application fee does not imply that a certificate will be granted.

23 (2) An original and two ~~42~~ copies of the application shall be filed with the Division of  
24 the Commission Clerk and Administrative Services.

25 (3) A certificate will be granted if the Commission determines that such approval is in

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from existing law.



1 the public interest.

2 Specific Authority 350.127(2) FS. Law Implemented 364.33, 364.335, 364.337, 364.345 FS.

3 History—New 1-8-95, Amended.

4

5 **25-24.730 Application for Approval of Sale, Assignment, or Transfer of**  
6 **Certificate.**

7 (1) A person seeking to obtain a certificate by sale, assignment or transfer from the  
8 holder shall submit an application jointly with the certificate holder on Commission Form  
9 PSC/CMP 43 (xx/xx+95) (entitled “Application Form for Authority To Provide Alternative  
10 Access Vendor Service within the State of Florida”). The application form may be obtained  
11 from the Division of Competitive Markets and Enforcement. A nonrefundable application fee  
12 of \$250.00 must accompany each application to cover processing costs. The Commission’s  
13 acceptance of the application fee does not imply that the application for sale, assignment or  
14 transfer of a certificate will be granted.

15 (2) An original and two ~~12~~ copies of the application shall be filed with the Division of  
16 the Commission Clerk and Administrative Services.

17 (3) An application for sale, assignment or transfer of a certificate will be granted if the  
18 Commission determines that such approval is in the public interest.

19 (4) A certificate may be sold, assigned or transferred only as a whole.

20 Specific Authority 350.127(2) FS. Law Implemented 364.32, 364.33, 364.335, 364.337,  
21 364.345 FS. History—New 1-8-95, Amended.

22

23 **25-24.810 Application for Certificate.**

24 (1) An applicant for a certificate shall submit an application on Form PSC/CMP 8  
25 (xx/xx+95), which is incorporated into this rule by reference. Form PSC/CMP 8

1 (~~xx/xx11/95~~), entitled "Application Form for Authority to Provide Competitive Local  
2 Exchange Service Within the State of Florida", may be obtained by contacting the  
3 Commission's Division of Competitive Markets and Enforcement. A non-refundable  
4 application fee of \$400.00 ~~\$250.00~~ must accompany the filing of each application.

5 (2) An original and two ~~six~~ copies of the application shall be filed with the Division of  
6 the Commission Clerk and Administrative Services.

7 Specific Authority 350.127(2) FS. Law Implemented 364.335 FS. History--New 12-27-95,  
8 Amended \_\_\_\_\_.

9  
10 **25-24.815 Application for Approval of Sale, Assignment or Transfer of**  
11 **Certificate.**

12 (1) A person obtaining a certificate by sale, assignment or transfer from the holder  
13 thereof shall submit jointly with the certificate holder an application on Form PSC/CMP 8  
14 (~~xx/xx11/95~~), which is incorporated into this rule by reference. Form PSC/CMP 8

15 (~~xx/xx11/95~~), entitled "Application Form for Authority to Provide Competitive Local  
16 Exchange Service Within the State of Florida", may be obtained by contacting the  
17 Commission's Division of Competitive Markets and Enforcement. A non-refundable  
18 application fee of \$400.00 ~~\$250.00~~ must accompany the filing of each application.

19 (2) An original and two ~~six~~ copies of the application shall be filed with the Division of  
20 the Commission Clerk and Administrative Services.

21 (3) An application for sale, ~~an~~ assignment or transfer of a certificate will be granted if  
22 the Commission determines that such approval is in the public interest.

23 (4) A certificate may be sold, assigned or transferred only as a whole.

24 (5) In the case of sale, ~~an~~ assignment or transfer where the assignor and assignee or  
25 transferor or transferee are all currently certificated by the Commission and there are no

1 pending actions against them, a sale, ~~an~~ assignment or transfer shall be considered effective  
2 upon filing. Any party protesting the sale, assignment or transfer shall be required to prove  
3 why the sale, assignment or transfer is not in the public interest.  
4 Specific Authority 350.127(2) FS. Law Implemented 364.335, 364.345(2) FS. History—New  
5 12-27-95, Amended \_\_\_\_\_.

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9 Certificate Rules 25-24.ctm.doc

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**FLORIDA PUBLIC SERVICE COMMISSION**  
**DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT**

**APPLICATION FORM**  
**for**  
**AUTHORITY TO PROVIDE PAY TELEPHONE SERVICE**  
**WITHIN THE STATE OF FLORIDA**

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**Instructions**

- A. This form is used as an application for an original certificate and for approval of sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 8).
- B. Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of **\$250.00** to:
- Florida Public Service Commission**  
**Division of the Commission Clerk and Administrative Services**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6770**
- E. A filing fee of **\$250.00** is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.512, F.A.C.).
- F. If you have questions about completing the form, contact:

**Florida Public Service Commission**  
**Division of Competitive Markets and Enforcement**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6600**

1. This is an application for (check one):

**Original certificate** (new company).

**Approval of transfer of existing certificate:** Example, a non-certificated company purchases an existing company and desires to retain the original certificate authority rather than apply for a new certificate.

**Approval of Assignment of existing Certificate:** Example, a certificated company purchases an existing company and desires to retain the existing certificate of authority and tariff.

**Approval for transfer of control:** Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

3. Name under which applicant will do business (fictitious name, etc.):

4. Official mailing address:

Street/Post Office Box:

City:

State:

Zip:

5. Florida address:

Street/Post Office Box:

City:

State:

Zip:

6. Structure of organization:

- Individual  
 Foreign Corporation  
 General Partnership  
 Other,

- Corporation  
 Foreign Partnership  
 Limited Partnership

7. **If individual**, provide:

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

8. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:
9. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:
10. **If using fictitious name (d/b/a)**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida. The Florida Secretary of State fictitious name registration number is:
11. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is:
12. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. The Florida registration number is:

14. Provide **F.E.I. Number**(if applicable):

15. Who will serve as liaison to the Commission in regard to the following?

(a) The application:

Name:  
Title:  
Street name & number:  
Post office box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

(b) Official point of contact for the ongoing operations of the company:

Name:  
Title:  
Street name & number:  
Post office box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

(c) Complaints/Inquiries from customers:

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

16. List the states in which the applicant:

(a) has operated as a Pay Telephone Service provider.

(b) has applications pending to be certificated as a Pay Telephone Service provider.

(c) is certificated to operate as a Pay Telephone Service provider.

(d) has been denied authority to operate as a Pay Telephone Service provider and the circumstances involved.

(e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved. Explain circumstances.

(f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.



17. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, provide explanation.

(b) granted or denied a pay telephone certificate in the State of Florida (this includes active and canceled pay telephone certificates). If yes, provide explanation and list the certificate holder and certificate number.

(c) an officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

**THIS PAGE MUST BE COMPLETED AND SIGNED**

**REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

**RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of pay telephone service (PATS) in Florida.

**APPLICANT ACKNOWLEDGEMENT:** By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative access vendor service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, **"Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."**

Company Owner or Officer

Print Name:  
Title:  
Telephone No.:  
E-Mail Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CERTIFICATE SALE, TRANSFER,**  
**OR**  
**ASSIGNMENT STATEMENT**

As current holder of Florida Public Service Commission Certificate Number \_\_\_\_\_, I have reviewed this application and join in the petitioner's request for a

- sale
- transfer
- assignment

of the certificate.

**Company Owner or Officer**

Print Name:

Title:

Street/Post Office Box:

City:

State:

Zip:

Telephone No.:

Fax No.:

E-Mail Address:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**FLORIDA PUBLIC SERVICE COMMISSION**  
**DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT**

**APPLICATION FORM**  
**for**  
**AUTHORITY TO PROVIDE SHARED TENANT SERVICE**  
**WITHIN THE STATE OF FLORIDA**

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**Instructions**

- A. This form is used as an application for an original certificate and for approval of sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 9).
- B. Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of **\$250.00** to:

**Florida Public Service Commission**  
**Division of the Commission Clerk and Administrative Services**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6770**

- E. A filing fee of **\$250.00** is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.569, F.A.C.).
- F. If you have questions about completing the form, contact:

**Florida Public Service Commission**  
**Division of Competitive Markets and Enforcement**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6600**

1. This is an application for (check one):

**Original certificate** (new company).

**Approval of transfer of existing certificate:** Example, a non-certificated company purchases an existing company and desires to retain the original certificate authority rather than apply for a new certificate.

**Approval of Assignment of existing Certificate:** Example, a certificated company purchases an existing company and desires to retain the existing certificate of authority and tariff.

**Approval for transfer of control:** Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

3. Name under which applicant will do business (fictitious name, etc.):

4. Official mailing address:

Street/Post Office Box:  
City:  
State:  
Zip:

5. Florida address:

Street/Post Office Box:  
City:  
State:  
Zip:

6. Structure of organization:

Individual  
 Foreign Corporation  
 General Partnership  
 Other,

Corporation  
 Foreign Partnership  
 Limited Partnership

7. **If individual**, provide:

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

8. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:
9. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:
10. **If using fictitious name (d/b/a)**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida. The Florida Secretary of State fictitious name registration number is:
11. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is:
12. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. The Florida registration number is:

14. Provide F.E.I. Number(if applicable):

15. Provide the following (if applicable):

(a) Will the name of your company appear on the bill for your services?

Yes

No

(b) If not, who will bill for your services?

Name:

Title:

Street/Post Office Box:

City:

State:

Zip:

Telephone No.:

Fax No.:

E-Mail Address:

Website Address:

(c) Who will the billed party contact to ask questions about the bill?

Name:

Title:

Telephone No.:

E-Mail Address:

(d) How is this information provided?

16. Who will serve as liaison to the Commission in regard to the following?

(a) The application:

Name:  
Title:  
Street name & number:  
Post office box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

(b) Official point of contact for the ongoing operations of the company:

Name:  
Title:  
Street name & number:  
Post office box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

(c) Complaints/Inquiries from customers:

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:



17. List the states in which the applicant:

(a) has operated as an Shared Tenant Service provider.

(b) has applications pending to be certificated as an Shared Tenant Service provider.

(c) is certificated to operate as an Shared Tenant Service provider.

(d) has been denied authority to operate as an Shared Tenant Service provider and the circumstances involved.

(e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

(f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

18. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, provide explanation.

(b) granted or denied a shared tenant services certificate in the State of Florida (this includes active and canceled shared tenant services certificates). If yes, provide explanation and list the certificate holder and certificate number.

(c) an officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

19. Submit the following:

(a) Managerial capability: resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

(b) Technical capability: resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

(c) Financial Capability: applicant's audited financial statements for the most recent three (3) years. If the applicant does not have audited financial statements, it shall so be stated. Unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer affirming that the financial statements are true and correct and should include:

1. the balance sheet,
2. income statement, and
3. statement of retained earnings.

**Note:** This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.

**THIS PAGE MUST BE COMPLETED AND SIGNED**

**REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

**RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of shared tenant service (STS) in Florida.

**APPLICANT ACKNOWLEDGEMENT:** By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative access vendor service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "**Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083.**"

Company Owner or Officer

Print Name:  
Title:  
Telephone No.:  
E-Mail Address:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**CERTIFICATE SALE, TRANSFER,**  
**OR**  
**ASSIGNMENT STATEMENT**

As current holder of Florida Public Service Commission Certificate Number \_\_\_\_\_, I have reviewed this application and join in the petitioner's request for a

- sale
- transfer
- assignment

of the certificate.

**Company Owner or Officer**

Print Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**FLORIDA PUBLIC SERVICE COMMISSION**  
**DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT**  
**APPLICATION FORM**  
**for**  
**AUTHORITY TO PROVIDE ALTERNATIVE ACCESS VENDOR SERVICE**  
**WITHIN THE STATE OF FLORIDA**

---

**Instructions**

- A. This form is used as an application for an original certificate and for approval of sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 9).
- B. Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of **\$250.00** to:  
  
**Florida Public Service Commission**  
**Division of the Commission Clerk and Administrative Services**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6770**
- E. A filing fee of **\$250.00** is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.730, F.A.C.).
- F. If you have questions about completing the form, contact:

**Florida Public Service Commission**  
**Division of Competitive Markets and Enforcement**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6600**

1. This is an application for (check one):

**Original certificate** (new company).

**Approval of transfer of existing certificate:** Example, a non-certificated company purchases an existing company and desires to retain the original certificate authority rather than apply for a new certificate.

**Approval of Assignment of existing Certificate:** Example, a certificated company purchases an existing company and desires to retain the existing certificate of authority and tariff.

**Approval for transfer of control:** Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

3. Name under which applicant will do business (fictitious name, etc.):

4. Official mailing address:

Street/Post Office Box:  
City:  
State:  
Zip:

5. Florida address:

Street/Post Office Box:  
City:  
State:  
Zip:

6. Structure of organization:

Individual  
 Foreign Corporation  
 General Partnership  
 Other,

Corporation  
 Foreign Partnership  
 Limited Partnership

7. **If individual**, provide:

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

8. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:

9. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:

10. **If using fictitious name (d/b/a)**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida. The Florida Secretary of State fictitious name registration number is:

11. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is:

12. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. The Florida registration number is:

14. Provide **F.E.I. Number**(if applicable):

15. Provide the following (if applicable):

(a) Will the name of your company appear on the bill for your services?

Yes

No

(b) If not, who will bill for your services?

Name:

Title:

Street/Post Office Box:

City:

State:

Zip:

Telephone No.:

Fax No.:

E-Mail Address:

Website Address:

(c) Who will the billed party contact to ask questions about the bill?

Name:

Title:

Telephone No.:

E-Mail Address:

(d) How is this information provided?



16. Who will serve as liaison to the Commission in regard to the following?

(a) The application:

Name:  
Title:  
Street name & number:  
Post office box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

(b) Official point of contact for the ongoing operations of the company:

Name:  
Title:  
Street name & number:  
Post office box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

(c) Complaints/Inquiries from customers:

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

17. List the states in which the applicant:

- (a) has operated as an Alternative Access Vendor.
  
- (b) has applications pending to be certificated as an Alternative Access Vendor.
  
- (c) is certificated to operate as an Alternative Access Vendor.
  
- (d) has been denied authority to operate as an Alternative Access Vendor and the circumstances involved.
  
- (e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.
  
- (f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

18. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, provide explanation.

(b) granted or denied an alternative access vendor certificate in the State of Florida (this includes active and canceled alternative access vendor certificates). If yes, provide explanation and list the certificate holder and certificate number.

(c) an officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

**THIS PAGE MUST BE COMPLETED AND SIGNED**

**REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

**RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of alternative access vendor (AAV) service in Florida.

**APPLICANT ACKNOWLEDGEMENT:** By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative access vendor service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "**Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083.**"

Company Owner or Officer

Print Name:  
Title:  
Telephone No.:  
E-Mail Address:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**CERTIFICATE SALE, TRANSFER,**  
**OR**  
**ASSIGNMENT STATEMENT**

As current holder of Florida Public Service Commission Certificate Number \_\_\_\_\_, I have reviewed this application and join in the petitioner's request for a

- sale
- transfer
- assignment

of the certificate.

**Company Owner or Officer**

Print Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**FLORIDA PUBLIC SERVICE COMMISSION**  
**DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT**  
**APPLICATION FORM**  
**for**  
**AUTHORITY TO PROVIDE COMPETITIVE LOCAL EXCHANGE**  
**TELECOMMUNICATIONS COMPANY SERVICE**  
**WITHIN THE STATE OF FLORIDA**

---

**Instructions**

- A. This form is used as an application for an original certificate and for approval of sale, assignment or transfer of an existing certificate. In the case of a sale, assignment or transfer, the information provided shall be for the purchaser, assignee or transferee (See Page 8).
- B. Print or type all responses to each item requested in the application. If an item is not applicable, please explain.
- C. Use a separate sheet for each answer which will not fit the allotted space.
- D. Once completed, submit the original and two (2) copies of this form along with a non-refundable application fee of **\$400.00** to:

**Florida Public Service Commission**  
**Division of the Commission Clerk and Administrative Services**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6770**

- E. A filing fee of **\$400.00** is required for the sale, assignment or transfer of an existing certificate to another company (Chapter 25-24.815, F.A.C.).
- F. If you have questions about completing the form, contact:

**Florida Public Service Commission**  
**Division of Competitive Markets and Enforcement**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6600**

1. This is an application for (check one):

**Original certificate** (new company).

**Approval of transfer of existing certificate:** Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority rather than apply for a new certificate.

**Approval of assignment of existing Certificate:** Example, a certificated company purchases an existing company and desires to retain the existing certificate of authority and tariff.

2. Name of company:

3. Name under which applicant will do business (fictitious name, etc.):

4. Official mailing address:

Street/Post Office Box:

City:

State:

Zip:

5. Florida address:

Street/Post Office Box:

City:

State:

Zip:

6. Structure of organization:

- Individual
- Foreign Corporation
- General Partnership
- Other,

- Corporation
- Foreign Partnership
- Limited Partnership

7. **If individual**, provide:

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

8. **If incorporated in Florida**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:

9. **If foreign corporation**, provide proof of authority to operate in Florida. The Florida Secretary of State corporate registration number is:

10. **If using fictitious name (d/b/a)**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida. The Florida Secretary of State fictitious name registration number is:

11. **If a limited liability partnership**, please proof of registration to operate in Florida. The Florida Secretary of State registration number is:

12. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

13. **If a foreign limited partnership**, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable. The Florida registration number is:



14. Provide **F.E.I. Number**(if applicable):

15. Who will serve as liaison to the Commission in regard to the following?

(a) The application:

Name:  
Title:  
Street name & number:  
Post office box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

(b) Official point of contact for the ongoing operations of the company:

Name:  
Title:  
Street name & number:  
Post office box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

(c) Complaints/Inquiries from customers:

Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:  
Website Address:

16. List the states in which the applicant:

(a) has operated as a Competitive Local Exchange Telecommunications Company.

(b) has applications pending to be certificated as a Competitive Local Exchange Telecommunications Company.

(c) is certificated to operate as a Competitive Local Exchange Telecommunications Company.

(d) has been denied authority to operate as a Competitive Local Exchange Telecommunications Company and the circumstances involved.

(e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

(f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

17. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, provide explanation.

(b) granted or denied a competitive local exchange certificate in the State of Florida (this includes active and canceled competitive local exchange certificates). If yes, provide explanation and list the certificate holder and certificate number.

(c) an officer, director, partner or stockholder in any other Florida certificated or registered telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

18. Submit the following:

(a) Managerial capability: resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.

(b) Technical capability: resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.

(c) Financial Capability: applicant's audited financial statements for the most recent three (3) years. If the applicant does not have audited financial statements, it shall so be stated. Unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer affirming that the financial statements are true and correct and should include:

1. the balance sheet,
2. income statement, and
3. statement of retained earnings.

**Note:** This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.

**THIS PAGE MUST BE COMPLETED AND SIGNED**

**REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual assessment fee, as defined by the Commission, is required.

**RECEIPT AND UNDERSTANDING OF RULES:** I acknowledge receipt and understanding of the Florida Public Service Commission's rules and orders relating to the provisioning of competitive local exchange telecommunications company (CLEC) service in Florida.

**APPLICANT ACKNOWLEDGEMENT:** By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide competitive local exchange telecommunications company service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "**Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083.**"

Company Owner or Officer

Print Name:  
Title:  
Telephone No.:  
E-Mail Address:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CERTIFICATE SALE, TRANSFER,**  
**OR**  
**ASSIGNMENT STATEMENT**

As current holder of Florida Public Service Commission Certificate Number \_\_\_\_\_, I have reviewed this application and join in the petitioner's request for a

- sale
- transfer
- assignment

of the certificate.

**Company Owner or Officer**

Print Name:  
Title:  
Street/Post Office Box:  
City:  
State:  
Zip:  
Telephone No.:  
Fax No.:  
E-Mail Address:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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-

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**DATE:** September 21, 2005  
**TO:** Office of General Counsel (Moore)  
**FROM:** Division of Economic Regulation (Hewitt) *CH* *SA* *AN* *PA*  
**RE:** Statement of Estimated Regulatory Costs for Proposed Amendments to Rules 25-24.511, -24.512, -24.567, -24.569, -24.720, -24.730, -24.810, -24.815, F.A.C., Application for Certificate; or Application for Approval of Sell, Assignment, or Transfer of Certificate

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SUMMARY OF THE RULE

Rules 25-24.511, 24.567, 24.720, and 24.810 require that anyone that wants to provide regulated telecommunications service submit an application and pay an application fee. Rules 25-24.512, -24.569, -24.730, -24.815 concerns the assignment or transfer of a certificate.

The proposed amendments would increase the fees charged for processing applications for a new certificate and for the sell, assignment, or transfer of an existing certificate. The fees vary depending on the type of service.

ESTIMATED NUMBER OF ENTITIES REQUIRED TO COMPLY AND  
GENERAL DESCRIPTION OF INDIVIDUALS AFFECTED

Regulated Florida telecommunications companies would potentially be affected by the proposed rule changes if they wanted to sell, assign, or transfer a certificate. Pay telephone service (PATS) providers are currently not allowed to sell, assign, or transfer a certificate but would be allowed to do so under the proposed changes. There are 415 competitive local exchange companies (CLEC), 10 incumbent local exchange companies, 30 shared tenant service companies (STS), 423 pay telephone companies, 681 interexchange companies (IXC), and 37 alternative access vendors (AAV) as of June 30, 2005, regulated by the Commission. An unknown number of new entrants into the industry would pay a higher application fee, the amount of which would be based on the type of service.

RULE IMPLEMENTATION AND ENFORCEMENT COST AND IMPACT ON REVENUES  
FOR THE AGENCY AND OTHER STATE AND LOCAL GOVERNMENT ENTITIES

The Commission would benefit from the higher fees which would more realistically cover the cost of processing the applications. The total increase in fees would depend on the number of applications.

There should be no negative impact on other state and local government entities unless they make an application concerning a telecommunications certificate.

ESTIMATED TRANSACTIONAL COSTS TO INDIVIDUALS AND ENTITIES

New applicants for a regulated telecommunications certificate would have to pay a higher fee than at present. PATS and STS application fees would increase from \$100 to \$250 and a sell, transfer or assignment of certificate would be \$250. AAV fees are currently at \$250. A CLEC application, sell, transfer, or assignment of certificate would increase from \$250 to \$400.

IMPACT ON SMALL BUSINESSES, SMALL CITIES, OR SMALL COUNTIES

There would be an increase in application, sell, transfer, or assignment for certification fees for telecommunications companies of \$150 to \$250 each, depending on the type of service. These increased fees would impact any regulated small businesses, small cities, or small counties applying, selling, transferring, or assigning telecommunications service certificates.

cc: Mary Andrews Bane  
Chuck Hill  
Ray Kennedy  
Hurd Reeves