

ORIGINAL

STATE OF FLORIDA

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
J. TERRY DEASON  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW



OFFICE OF THE GENERAL COUNSEL  
MICHAEL G. COOKE  
GENERAL COUNSEL  
(850) 413-6199

060000

Public Service Commission

September 25, 2006

Liz Cloud  
Department of State  
Bureau of Administrative Code  
R. A. Gray Building  
500 S. Bronough Street  
Tallahassee, FL 32399-0250

RECEIVED-PTSC  
06 SEP 25 PM 1:10  
COMMISSION  
CLERK

Re: Technical Change to Part XV of Rule Chapter 25-24, F.A.C.

Dear Ms. Cloud:

This letter is to request a technical change to the title of Part XV of Rule Chapter 25-24 to reflect a change in terminology made by the 2003 Legislature. Chapter 2003-32, §3, Laws of Florida, changed the term "alternative local exchange telecommunications company" to "competitive local exchange telecommunications company." The word "competitive" should be substituted for "alternative" in the title as shown in the attachments to this letter.

Thank you for your assistance.

Sincerely,

*Christiana T Moore*

Christiana T. Moore  
Associate General Counsel

MP \_\_\_\_\_  
OM \_\_\_\_\_ CTM  
TR \_\_\_\_\_ Attachments  
DR \_\_\_\_\_ ec: John Rosner  
CL \_\_\_\_\_ Kay Flynn  
PC \_\_\_\_\_  
TA \_\_\_\_\_ Technical Change 25-24.ctm.doc  
R \_\_\_\_\_  
A \_\_\_\_\_  
C \_\_\_\_\_  
I \_\_\_\_\_

- 25-24.735 Cancellation of a Certificate.  
 25-24.740 AAV Service Provider Operations; Rules Incorporated.  
 25-24.745 Records and Reports; Rules Incorporated.  
 25-24.747 Notification Requirements.
- PART XV RULES GOVERNING TELECOMMUNICATIONS SERVICE PROVIDED BY ~~ALTERNATIVE~~ LOCAL EXCHANGE COMPANIES *competitive*  
 X
- 25-24.800 Scope.  
 25-24.805 Certificate of Public Convenience and Necessity Required.  
 25-24.810 Application for Certificate.  
 25-24.815 Application for Approval of Sale, Assignment or Transfer of Certificate.  
 25-24.820 Revocation of a Certificate.  
 25-24.825 Price List.  
 25-24.830 Consumer Information.  
 25-24.835 Rules Incorporated.  
 25-24.840 Service Standards.  
 25-24.845 Customer Relations.
- PART XVI RULES GOVERNING PREPAID CALLING SERVICES
- 25-24.900 Scope.  
 25-24.905 Terms and Definitions.  
 25-24.910 Registration or Certificate of Public Convenience and Necessity Required.  
 25-24.915 Tariffs or Price Lists.  
 25-24.920 Standards for Prepaid Calling Services and Consumer Disclosure.  
 25-24.925 Refunds.  
 25-24.930 Adequacy of Service. (Repealed)  
 25-24.935 Discontinuance of Service.  
 25-24.940 Penalties. (Repealed)

**PART X RULES GOVERNING INTEREXCHANGE TELECOMMUNICATIONS COMPANIES**

**25-24.455 Scope and Waiver.**

(1) This Part applies only to Intrastate Interexchange Companies (IXCs). As provided by Rules 25-4.002, 25-9.001 and 25-14.001, F.A.C., no provision of Chapter 25-4, 25-9 or 25-14, F.A.C., shall apply to IXCs, except as provided by this Part.

(2) An IXC may petition for a waiver of any provision of this Part. The waiver shall be granted in whole, granted in Part or denied based on the following:

- (a) The factors enumerated in Section 364.337(4), Florida Statutes;
- (b) The extent to which competitive forces may serve the same function as, or obviate the necessity for, the provision sought to be waived;
- (c) Alternative regulatory requirements for the company which may serve the purposes of this part; and
- (d) Whether the waiver is in the public interest.

*Specific Authority 350.127(2) FS. Law Implemented 364.01, 364.02 FS. History—New 2-23-87, Amended 8-25-05.*

(2) Each AAV service provider shall file with the Commission's Division of Competitive Markets and Enforcement updated information for the following items within 10 days after any such change occurs:

- (a) Mailing address of the certificate holder; and
- (b) Name, title, and phone number of the individual responsible for Commission contacts.

*Specific Authority 350.127(2) FS. Law Implemented 364.016, 364.17, 364.18, 364.183, 364.185, 364.337 FS. History—New 1-8-95, Amended 11-13-95.*

#### **25-24.747 Notification Requirements.**

Each AAV service provider shall provide the following to each customer before providing service:

- (1) Amount of nonrecurring charge;
- (2) Amount of recurring charge;
- (3) Terms of agreement;
- (4) Penalties for violating service arrangements;
- (5) Description of service being provided;
- (6) Quality of service to be provided; and
- (7) Applicable charges for termination of service.

*Specific Authority 350.127(2) FS. Law Implemented 364.337 FS. History—New 1-8-95.*

### **PART XV RULES GOVERNING TELECOMMUNICATIONS SERVICE PROVIDED BY ~~ALTERNATIVE~~ LOCAL EXCHANGE COMPANIES**

#### **25-24.800 Scope.**

(1) This part applies only to Competitive Local Exchange Companies. The provisions of Chapter 25-4, 25-9 or 25-14, F.A.C., shall not apply to Competitive Local Exchange Companies, unless specifically provided by this part.

(2) In addition to the rules contained in this part, any Competitive Local Exchange Company which provides operator services in a call aggregator context shall also comply with the rules contained in Part XIII of Chapter 25-24, F.A.C.

*Specific Authority 350.127(2) FS. Law Implemented 364.01, 364.337 FS. History—New 12-27-95, Amended 2-1-99.*

#### **25-24.805 Certificate of Public Convenience and Necessity Required.**

(1) No person shall provide competitive local exchange telecommunications service without first obtaining a certificate of public convenience and necessity from the Commission. The certificate shall be for statewide authority, unless precluded by Section 364.337(1), F.S., to provide all Commission approved telecommunications services. Services may not be provided, nor may deposits or payment for services be collected, until the effective date of a certificate. However, marketing and development activities may begin prior to the effective date of the certificate at the applicant's risk that it may not be granted. Prior to certification, the applicant must advise the public in any customer contacts or advertisements that certification has not and may not be granted.

(2) Any Alternative Access Vendor certificated prior to July 1, 1995, may become a Competitive Local Exchange Company by filing with the Commission's Division of Records and Reporting a letter of intent to provide local exchange service. An application fee is not required to be paid in conjunction with such filing. Authorization associated with such letter of intent shall be effective January 1, 1996, or upon receipt by the Commission, whichever is later. Competitive Access Vendors authorized pursuant to this section shall be subject to all rules applicable to Competitive Local Exchange Telecommunications Companies.

*Specific Authority 350.127(2) FS. Law Implemented 364.01, 364.337 FS. History—New 12-27-95.*

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

(1) An applicant for a certificate shall submit an application on Form PSC/CMP 8 (1/06), which is incorporated into this rule by reference. Form PSC/CMP 8 (1/06), entitled "Application Form for Authority to Provide Competitive Local Exchange Service Within the State of Florida", may be obtained by contacting the Commission's Division of Competitive Markets and Enforcement. A non-refundable application fee of \$400.00 must accompany the filing of each application.

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

*Specific Authority 350.127(2) FS. Law Implemented 364.335 FS. History—New 12-27-95, Amended 1-5-06.*