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Public Service Commission

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080159-TP

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PSC-09-0054-NOK-TP

Global Capacity Group, Inc.
500 West Madison Street, Suite 2060
Chicago IL 60661-2592

TK 219 ✓
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01534 FEB 25 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition to initiate rulemaking to adopt new rule in Chapter 25-24, F.A.C., amend and repeal rules in Chapter 25-4, F.A.C., and amend rules in Chapter 25-9, F.A.C., by Verizon Florida LLC, BellSouth Telecommunications, Inc. d/b/a AT&T Florida, Embarq Florida, Inc., Quincy Telephone Company d/b/a TDS Telecom, and Windstream Florida, Inc.

DOCKET NO. 080159-TP

In re: Initiation of rulemaking to amend and repeal rules in Chapters 25-4 and 25-9, F.A.C., pertaining to telecommunications.

DOCKET NO. 080641-TP
ORDER NO. PSC-09-0054-NOR-TP
ISSUED: January 23, 2009

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

NOTICE OF RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rules 25-4.002, 25-4.0185, 25-4.023, 25-4.066, 25-4.070, 25-4.071, 25-4.073, 25-4.074, 25-4.083, 25-4.107, 25-4.109, and 25-4.110 and repeal Rules 25-4.046, 25-4.067, 25-4.108, Florida Administrative Code, relating to telecommunications regulation.

None of the amendments to Rules 25-4.002, 25-4.0185, 25-4.023, 25-4.071, 25-4.074, 25-4.083, 25-4.107, 25-4.109, and 25-4.110 or rule repeals are intended to impact wholesale service or the SEEM (Self-Effectuating Enforcement Mechanism) plan, or the SEEM metrics or payments. None of the rule repeals or amendments are intended to impact the type of data that must be collected and analyzed for purposes of the SEEM plan.

The attached Notices of Rulemaking will appear in the January 23, 2009, edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at a time and place to be announced in a future notice. Written requests for hearing and written comments or suggestions on the rules must be

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received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than February 13, 2009. Any written requests for hearing or written comments should be filed in Docket No. 080641-TP and include specific rule language requested in legislative type and strike format.

For administrative efficiency purposes, Docket No. 080159-TP shall be closed. Docket No. 080641-TP shall remain open to receive any requests for hearing or written comments.

By ORDER of the Florida Public Service Commission this 23rd day of January, 2009.



ANN COLE
Commission Clerk

(SEAL)

KC

DISSENT IN PART BY COMMISSIONER MCMURRIAN:

Consistent with comments made during the Commission's consideration of this matter on January 6, 2009, COMMISSIONER KATRINA J. MCMURRIAN agrees in part and dissents in part with the majority's decisions regarding the rulemaking proposals addressed in Issues 1 and 2 of staff's recommendation but agrees with the majority's decision regarding dispensation of the dockets and the proper filing of the proposed rules addressed in Issue 3 of staff's recommendation.