

State of Florida



Public Service Commission
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COMMISSION
CLERK

DATE: July 27, 2009
TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk
FROM: James S. Polk, Regulatory Analyst II, Division of Regulatory Compliance
Charles W. Murphy, Senior Attorney, Office of the General Counsel
RE: Docket No. 070348-TX, Notice of Withdrawal - Amended Petition for Designation as an Eligible Telecommunications Carrier by Swiftel, LLC.

On May 30, 2007, Swiftel, LLC (Swiftel) filed a Petition for Designation as an Eligible Telecommunications Carrier (ETC) in the State of Florida. On August 7, 2008, staff filed a recommendation to deny ETC status to Swiftel. The recommendation was scheduled to be considered by Commissioners at the August 19, 2008 Agenda Conference. On August 14, 2008, Swiftel filed a "Request for Postponement" of consideration of the recommendation which was approved by the Chairman's office.

On November 19, 2008, Swiftel filed an "Amended Petition for Designation as an Eligible Telecommunications Carrier." On June 4, 2009, staff filed a recommendation to deny ETC status to Swiftel based on the amended petition. This recommendation was scheduled to be considered by Commissioners at the June 16, 2009 Agenda Conference. On June 15, 2009, Swiftel filed for a "Postponement of consideration of this matter to on or after the June 30, 2009 agenda." The deferral request was approved. On June 29, 2009, staff sent a memo to inform Commissioners which contained updated and newly discovered information concerning Swiftel. On June 30, 2009, prior to consideration of staff's recommendation by the Commission at Agenda, Swiftel filed an "Emergency Request for Deferment," which was approved.

On July 21, 2009, Swiftel filed a "Notice of Withdrawal of its Amended Petition For Designation as an Eligible Telecommunications Carrier." Swiftel stated it does not seek leave to file a second amended petition, and, at this time, it has no plans to re-file a petition for ETC designation in the State of Florida.

In accordance with APM 2.07(C)(2)(d)(4), staff requests that the above referenced docket be closed administratively. There are no pending issues that need to be addressed by the Commission, and no agency action has been taken to date.

If you have questions, please feel free to contact Jim Polk at 413-6510 or Charlie Murphy at 413-6191.

cc: Division of Regulatory Compliance (Salak, Harvey, Casey, Eovacios)
Office of General Counsel (Teitzman)
Division of Service, Safety and Consumer Assistance (Moses)

ok to close
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