

Diamond Williams

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From: Hurh, Brian [BrianHurh@dwt.com]
Sent: Wednesday, June 15, 2011 9:55 AM
To: Filings@psc.state.fl.us
Subject: Request for Statement of ETC designation
Attachments: Ltr to FL PSC re ETC designation.pdf

Please find attached a letter requesting a statement from the Commission regarding the Commission's jurisdiction to consider wireless carriers' petitions for ETC status.

Thank you.

Brian Hurh | Davis Wright Tremaine LLP

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June 15, 2011

S. Curtis Kiser
General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: ETC Designation

Dear Mr. Kiser,

On behalf of Nexus Communications, Inc., a provider of wireless telecommunications services, I am writing to request a statement that the Florida Public Service Commission's jurisdiction to grant ETC designation changed with Governor Scott's approval of HB 1231, the telecom reform bill. It is our understanding that HB 1231, which revises Chapter 364, Florida Statutes, altered the Commission's jurisdiction regarding telecommunications companies, and in particular, wireless service providers, such that the Federal Communications Commission, rather than this Commission, is now the appropriate agency to consider Nexus' request for ETC status in Florida.

Nexus respectfully requests that the Commission acknowledge the foregoing in a written statement as soon as possible. Nexus currently has a petition for ETC designation in Florida on file with the Federal Communications Commission, and requires such written statement in order for its FCC petition to proceed.

If you have any questions, please do not hesitate to contact me at the number above.

Sincerely,

/s Brian J. Hurh

Brian J. Hurh

Counsel for Nexus Communications, Inc.

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