



# Public Service Commission

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COMMISSION  
CLERK

**DATE:** June 20, 2011

**TO:** Ann Cole, Commission Clerk - PSC, Office of Commission Clerk

**FROM:** Beth W. Salak, Director, Division of Regulatory Analysis  
Adam J. Teitzman, Attorney Supervisor, Office of the General Counsel

**RE:** Docket No. 110113-TX - Compliance investigation of CLEC Certificate No. 8518, issued to Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC, for apparent first-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

*Handwritten initials/signature*

On May 13, 2011, Order No. PSC-11-0220-PAA-TX was issued in this docket advising Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC (Tennessee Telephone Service) that its CLEC Certificate will be cancelled if Tennessee Telephone Service did not pay the penalties and fees outlined in the order or failed to file a timely protest to the Order. Order No. PSC-11-0220-PAA-TX addressed multiple dockets.

In an email dated May 31, 2011, Tennessee Telephone Service notified the Commission of its bankruptcy filing. On June 8, 2011, Consummating Order No. PSC-11-0248-CO-TX was issued finalizing Order No. PSC-11-0220-PAA-TX for the multiple dockets, exclusive of Docket No. 110113-TX, which was left open pending further review.

Pursuant to 11 USCS § 362 (a) (1) and (a) (2) of the US Bankruptcy Code, the filing of a petition for bankruptcy relief acts as a stay to an administrative action or proceeding against the debtor that was or could have commenced before the bankruptcy proceeding. The bankruptcy filing also acts as a stay to enforcing a judgment obtained against the debtor before the bankruptcy action.<sup>1</sup>

Tennessee Telephone Service's bankruptcy filing acts as a stay to any administrative proceedings including this compliance investigation. Since the Commission is prohibited from taking further agency action against the company at this time, Docket No. 110113-TX should be closed and Order No. PSC-11-0220-PAA-TX is not final as it relates to Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC (Docket No. 110113-TX).

*OK to close 6/16/11 [Signature]*

c: Office of the General Counsel (Evans)  
Division of Regulatory Analysis (Earnhart)  
Docket File

<sup>1</sup> See also 11 USCS § 362 (a) (6) which states that bankruptcy filing operates as a stay for any act, to collect, assess, or recover a claim that arose before the bankruptcy filing.

DOCUMENT NUMBER-DATE

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