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GENERAL COUNSEL
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(850) 413-6199
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Public Service Commission

June 17, 2011

Mr. Brian J. Hurh, Esq.
Davis Wright Tremaine LLP
Suite 800
1919 Pennsylvania Avenue NW
Washington, DC 20006-3401

Re: Undocketed – Nexus Communications, Inc., ETC designation

Dear Mr. Hurh:

We received your June 15, 2011 letter requesting a statement regarding the Florida Public Service Commission's jurisdiction to grant ETC designation to Nexus Communications, Inc. In your letter, you mentioned that the Legislature made revisions to Chapter 364, Florida Statutes, as embodied in Chapter 2011-36, Laws of Florida.

This letter acknowledges that the Legislature revised the Commission's jurisdiction regarding telecommunications companies as embodied in Chapter 2011-36, Laws of Florida. I direct your attention to Chapter 2011-36, Laws of Florida, for the proposition that the Federal Communications Commission, rather than this Commission, is the appropriate agency to consider Nexus Communications, Inc.'s bid for ETC status.

Sincerely,

A handwritten signature in black ink that reads "S. Curtis Kiser".

S. Curtis Kiser
General Counsel

cc: Beth W. Salak, Director, Division of Regulatory Analysis
Robert J. Casey, Public Utilities Supervisor, Division of Regulatory Analysis
Adam J. Teitzman, Attorney Supervisor, Office of the General Counsel
Ann Cole, Commission Clerk, Office of Commission Clerk

DOCUMENT NUMBER-DATE

04188 JUN 17 11

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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.