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Sent: Wednesday, March 14, 2012 3:08 PM
To: Filings@psc.state.fl.us
Cc: Kiwanis Curry
Subject: Docket No. 110303-OT Survey Questions
Attachments: 110303 ELB Resp 03-14-12.pdf

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Docket No. 110303-OT

Filed on behalf of:
Deltacom, Inc. d/b/a EarthLink Business
Business Telecom, Inc. d/b/a EarthLink Business
Saturn Telecommunication Services, Inc. d/b/a EarthLink Business
STS Telecom, LLC d/b/a EarthLink Business
New Edge Network, Inc. d/b/a EarthLink Business

Number of pages: 4

Attached document description: EarthLink Business companies' responses to Survey Questions regarding Rule 25-4.0161, F.A.C

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Via Email: filings@psc.state.fl.us

March 14, 2012

Ms. Judy Harlow
c/o Ann Cole
Commission Clerk
Office of the Commission Clerk
Florida Public Utilities Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

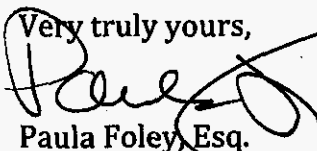
**Re: Docket No. 110303-OT
Rule 25-4.0161, F.A.C. Survey Questions**

Dear Ms. Harlow:

Enclosed are the responses to the survey questions regarding Rule 25-4.0161, F.A.C., filed on behalf of the following: Deltacom, Inc. d/b/a EarthLink Business, Business Telecom, Inc. d/b/a EarthLink Business, Saturn Telecommunication Services, Inc. d/b/a EarthLink Business, STS Telecom, LLC d/b/a EarthLink Business, and New Edge Network, Inc. d/b/a EarthLink Business (collectively, the "EarthLink Business companies").

If you have any question, please contact me at (781) 362-5713 or via email at pfoley@corp.earthlink.com.

Very truly yours,


Paula Foley, Esq.
Regulatory Counsel

Enc.

cc: kcurry@psc.state.fl.us

Rule 25-4.0161, F.A.C. – Survey Questions

The following survey questions apply to **Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies**. For responding to these questions, please refer to Subsection 120.541(2), F.S., and Subparagraph 120.745(1)(be)2, F.S. “Transactional costs” are defined in Subparagraph 120.541(2)(do), F.S., as:

...direct costs that are readily ascertainable based upon standard business practices, including filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

The company’s response data to these survey questions should be provided for the entire rule, unless the response data is available by rule section, in which case we request the response data be provided by rule section. Please present data in annualized format, if possible, and all cost or benefit dollar estimates should be stated in nominal terms.

1. What are the estimated transactional costs resulting from the Company’s compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?
 - a. What are your actual transactional costs resulting from your Company’s compliance with Rule 25-4.0161, F.A.C., for the period July 1, 2011 through December 31, 2011?

Response: The EarthLink Business companies are unable to estimate the transactional costs resulting from the EarthLink Business companies’ compliance with Rule 25-4.0161, F.A.C. for the five year period beginning July 1, 2011, because the Regulatory Assessment Fee is based on the companies’ future intrastate gross operating revenues and a factor that is set by the FPSC. The EarthLink Business companies’ actual transactional costs for the period July 1, 2011 through December 31, 2011 are not tracked separately and therefore cannot be provided.

2. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small businesses (as defined by Section 288.703, F.S.) located in the Company’s service territory, resulting from the compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

Response: We cannot quantify the costs and benefits to small businesses.

3. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small counties and small cities (as defined in Section 120.52, F.S.) located in the Company’s service territory, resulting from the compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

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Response: We cannot quantify the costs and benefits to small counties and small cities.

4. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on entities located in the Company's service territory other than those specifically identified in Questions 2 and 3, resulting from the compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?

Response: We cannot quantify the costs and benefits to other entities.

5. What expected impact do you believe Rule 25-4.0161, F.A.C., will have on economic growth, private sector job creation or employment, and private sector investment for the five year period July 1, 2011 in the Company's service territory?

Response: Competitive telecommunications offerings will continue to be critical to economic growth and private sector employment. Therefore, the FPSC's role as a monitor of competition, and the funding the FPSC receives as a result of the regulatory assessments, has a significant impact.

6. What expected impact do you believe Rule 25-4.0161, F.A.C., will have on business competitiveness, including the ability of persons doing business in the Company's service territory to compete with persons doing business in states other than Florida or other domestic markets, productivity, and innovation, for the five year period July 1, 2011?

Response: Please refer to the response to question no. 5, above.

7. What are the benefits to your Company associated with Rule 25-4.0161, F.A.C.?

Response: The funding provided to the FPSC by the assessments required in Rule 25-4.0161 helps ensure the FPSC's continuing ability to monitor competition and to ensure that unlawful barriers to competition do not arise.

8. Since the December 4, 2011 rule change has your Company revised customer rates in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any rate changes that were made.

Response: The EarthLink Business companies have not revised customer rates in order to comply with Rule 25-4.0161, F.A.C.

9. If the Company did revise customer rates after the rule change, what were the specific costs associated with processing and implementing these rate changes?

Response: N/A

10. Does the Company anticipate having to revise customer rates in the future in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any anticipated rate changes for the five year period beginning July 1, 2011.

Response: The EarthLink Business companies do not anticipate the need to revise customer rates in order to comply with Rule 25-4.0161, F.A.C.

11. If the company anticipates revising customer rates in order to comply with Rule 25-4.0161, F.A.C., what costs does the company expect to incur to process and implement the rate changes for the five year period beginning July 1, 2011?

Response: N/A.