7/9/20083:51:05 PM1age 1 of 1

Ruth Nettles

From:

Angela Janssen [ajanssen@telecomcounsel.com]

Sent:

Wednesday, July 09, 2008 3:39 PM

To:

Filings@psc.state.fl.us

Cc:

Lance Steinhart

Subject:

dPi Teleconnect, LLC

Attachments: FL Information Request Filing.doc.pdf

dPi Teleconnect, LLC - Docket No. 080043-TX

Additional Information Requested

Thanks -

Angela M. Janssen, Legal Assistant Lance J.M. Steinhart, P.C. 1720 Windward Concourse, Suite 115 Alpharetta, Georgia 30005 www.telecomcounsel.com (678) 775-2253 (Direct Dial) (678) 775-1193 (Direct Fax)

e-mail: ajanssen@telecomcounsel.com

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DOCUMENT NUMBER-DATE

059|8 JUL-98

FPSC-COMMISSION CLERK

Lance J.M. Steinhart, P.C.

Attorney At Law
1720 Windward Concourse
Suite 115
Alpharetta, Georgia 30005

Also Admitted in New York and Maryland

Telephone: (770) 232-9200 Facsimile: (770) 232-9208

Email: Isteinhart@telecomcounsel.com

July 9, 2008

VIA ELECTRONIC FILING AND OVERNIGHT DELIVERY

Beth Salak, Director
Division of Competitive Markets & Enforcement
Florida Public Service Commission
2540 Shumard Oak Blvd.
Gunter Bldg.
Tallahassee, Florida 32399-0850
(850) 413-6770

Re:

dPi Teleconnect, LLC

ETC Designation - Docket No. 080043-TX

Dear Ms. Salak:

Pursuant to staff request, enclosed please find one original and six (6) copies of dPi Teleconnect, LLC's replacement page 1 to its Application of dPi Teleconnect, LLC for Certification as an Eligible Telecommunications Carrier as well as executed Affidavit for the above-referenced docket.

This replacement page is to exclude the request certification as an Eligible Telecommunications Carrier in the Embarq service territory.

Please return a stamped copy of the extra copy of this letter in the enclosed preaddressed prepaid envelope.

If you have any questions regarding this matter, please do not hesitate to call me. Thank you for your attention to this matter.

Respectfully submitted

Angela Janssen, Legal Assistant to

Lance J.M. Steinhart

Attorney for dPi Teleconnect, LLC

Enclosure

cc:

Mr. Thomas G. O'Roark Bob Casey – via e-mail Jim Polk – via e-mail

DOCUMENT NUMBER -DATE

05918 JUL-98

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSON

APPLICATION OF)	
DPI TELECONNECT, LLC)	
FOR CERTIFICATION AS AN ELIGIBLE)	DOCKET NO. 080043-TX
TELECOMMUNICATIONS CARRIER	j	

APPLICATION FOR CERTIFICATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

dPi Teleconnect, LLC ("dPi" or the "Company"), pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the "Act")¹ and Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission ("FCC"),² and §364.10(2), and §364.025(5), Florida Statutes, hereby applies to the Florida Public Service Commission ("Commission") for certification as an Eligible Telecommunications Carrier ("ETC") throughout the rural and non-rural BellSouth/AT&T and Verizon service territories ("Designated Service Area") for the purpose of receiving federal universal service support. The Company is seeking only low income support, and is not requesting high cost support. As demonstrated below, dPi satisfies all of the statutory and regulatory requirements for designation as an ETC in the Designated Service Area. Furthermore, designation of dPi in the Designated Service Area will serve the public interest. Accordingly, dPi respectfully requests that the Commission grant this Application.

⁴⁷ U.S.C. § 214(e)(2).

² 47 C.F.R. §§ 54.101-54.207.

AFFIDAVIT

State of	Texas
County of	Dallas

BEFORE ME, the undersigned authority, appeared _David Dorwart _, who deposed and said:

My name is <u>David Dorwart</u>, I am employed by <u>dPi Teleconnect</u>, LLC, located at <u>2997 LBJ Freeway</u>, Dallas Tx_ as its <u>President & CEO_</u>. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Eligible Telecommunications Carrier petition filed by my Company with the Florida Public Service Commission (PSC).

Company hereby certifies the following:

- 1. Company will follow all Florida Statutes, Florida Administrative Rules, and Florida PSC Orders relating to Universal Service, Eligible Telecommunications Carriers, and the Florida Link-Up and Lifeline Program.
- Company will follow all FCC rules, FCC Orders, and regulations contained in the Telecommunications Act of 1996 regarding Universal Service, ETCs, Link-Up and Lifeline, and toll limitation service.
- 3. Company agrees that the Florida PSC may revoke a carrier's ETC status for good cause after notice and opportunity for hearing, for violations of any applicable Florida Statutes, Florida Administrative Rules, Florida PSC Orders, failure to fulfill requirements of Sections 214 or 254 of the Telecommunications Act of 1996, or if the PSC determines that it is no longer in the public interest for the company to retain ETC status.
- 4. Company understands that if its petition for ETC status is approved, it will be for limited ETC status to provide Link-Up, Lifeline, and toll-limitation service only, and the Company will be eligible only to receive low-income support from the Universal Service Fund.
- 5. Company understands that it may only receive reimbursement from the Universal Service Administrative company (USAC) for active customer Link-Up and Lifeline access lines which are provided using its own facilities or using access lines obtained as wholesale local platform lines (formerly UNE lines) from another carrier. The Company shall not apply to USAC for reimbursement of Link-Up and Lifeline access lines obtained from an underlying carrier which already receive a Lifeline and/or Link-Up credit provided by the underlying carrier.
- 6. Company understands that the PSC shall have access to all books of account, records and property of all eligible telecommunications carriers.
- Company understands that low income support reimbursed by USAC for toll limitation service is available only for the incremental costs that are associated exclusively with toll limitation service.

8. Company agrees that upon request, it will submit to the PSC a copy of Form 497 forms filed with USAC to: Florida Public Service Commission Division of Regulatory Compliance, Market Practices Section 2540 Shumard Oak Drive Tallahassee, Florida 32303 9. Company understands that in accordance with the Florida Lifeline program, eligible customers will receive a \$13.50 monthly discount on their phone bill, \$3.50 of which is provided by the ETC, and \$10.00 of which is reimbursable from the Federal Universal Service Fund. FURTHER AFFIANT SAYETH NOT. Printed Name Business Address: 2997 LBJ Freeway Dallas, TX 75234 State of TEXAS
County of DALLAS who did take an oath. Rolande G. Jones NOTARY PUBLIC ROLANDE & JONES
Printed Name of Notary Rolande G Jones My Commission Expires

Type of Identification Produced_

Personally Known_____ Produced Identification