

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: May 2, 2013

TO: Office of Commission Clerk (Cole)

FROM: Office of Telecommunications (Beard) *COB*
Office of the General Counsel (Corbari, Teitzman) *AT* *BTX*
KFC

RE: Docket No. 130075-TX – Request for relinquishment of eligible telecommunications carrier (ETC) designation in Florida, by Easy Telephone Services Company.

RECEIVED-FPSC
MAY -2 AM 8:44
COMMISSION CLERK

AGENDA: 05/14/13 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\TEL\WP\130075.RCM.DOC

Case Background

By Order No. PSC-99-2530-PAA-TX, issued January 21, 2000, in Docket No. 991577-TX, the Florida Public Service Commission (PSC or the Commission) granted Competitive Local Exchange Company (CLEC) Certificate No. 7300 to Easy Telephone Services Company (Easy Telephone). By Order No. PSC-10-0125-PAA-TX, in Docket No. 090337-TX, the PSC designated Easy Telephone as an Eligible Telecommunications Carrier (ETC) in the State of Florida throughout the non-rural wire centers of the AT&T Florida (AT&T) service area. On April 4, 2013, Easy Telephone filed a request to relinquish its ETC status. It does not wish to relinquish its CLEC certification since it plans to provide non-Lifeline service in Florida. This recommendation addresses Easy Telephone's request for relinquishment of its ETC designation.

DOCUMENT NUMBER-DATE

02415 MAY-2 2013

FPSC-COMMISSION CLERK

Docket No. 130075-TX
Date: May 2, 2013

The Commission is vested in jurisdiction in this matter, pursuant to Section 364.10, Florida Statutes (F.S) and 47 C.F.R. §54.205.

Discussion of Issues

Issue 1: Should the Commission grant Easy Telephone's request for relinquishment of its ETC designation in AT&T Florida's non-rural wire centers without prejudice?

Recommendation: Yes, the Commission should grant Easy Telephone's request for relinquishment of its ETC designation in AT&T Florida's non-rural wire centers without prejudice. (Beard)

Staff Analysis: Federal rules allow an ETC to relinquish its ETC designation. 47 C.F.R. §54.205 provides that:

A state commission shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the state commission of such relinquishment.

The PSC designated Easy Telephone as an ETC throughout AT&T's non-rural wire centers. Multiple ETCs serve this area at the present time. On April 4, 2013, Easy Telephone filed its request to relinquish its designation as an ETC in the State of Florida.

47 C.F.R. §54.205(b) provides that:

Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the state commission shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The state commission shall establish a time, not to exceed one year after the state commission approves such relinquishment under this section, within which such purchase or construction shall be completed.

At this time, Easy Telephone has no customers. Therefore, staff recommends that the Commission acknowledge Easy Telephone's relinquishment of its ETC designation in AT&T Florida's non-rural wire centers without prejudice.

Docket No. 130075-TX

Date: May 2, 2013

Issue 2: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency actions files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order. (Corbari, Teitzman)

Staff Analysis: At the conclusion of the protest period, if no protest is filed this docket should be closed upon the issuance of a consummating order.