

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of
pro forma transfer of ALEC
Certificate No. 5181 and IXC
Certificate No. 5182 from
Wireless One Network, L.P. d/b/a
Cellular One of Southwest
Florida to Wireless One Network
Management, L.P.

DOCKET NO. 001522-TP
ORDER NO. PSC-00-2455-PAA-TP
ISSUED: December 20, 2000

The following Commissioners participated in the disposition of
this matter:

J. TERRY DEASON, Chairman
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF
ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS CERTIFICATE AND
INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service
Commission that the action discussed herein is preliminary in
nature and will become final unless a person whose interests are
substantially affected files a petition for a formal proceeding,
pursuant to Rule 25-22.029, Florida Administrative Code.

On October 3, 2000, Wireless One Network, L.P. d/b/a Cellular
One of Southwest Florida (WON) and Wireless One Network Management,
L.P. (WON Management) filed with this Commission a joint request for
transfer of Alternative Local Exchange Telecommunications (ALEC)
Certificate No. 5181 and Interexchange Telecommunications
Certificate No. 5182 from WON to WON Management.

WON and WON Management have complied with Rule 25-24.815,
Florida Administrative Code, and Rule 25-24.473, Florida
Administrative Code, regarding the transfer of ALEC and IXC

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certificates respectively. We find the transfer to be in the public interest and, therefore, approve the transfer. ALEC Certificate No. 5181 shall be amended to reflect that WON Management is the holder of this certificate.

If this Order becomes final and effective, it shall serve as WON Management's certificates. WON Management should, therefore, retain this Order as proof of certification.

ALEC providers are subject to Chapter 25-24, Florida Administrative Code, Part XV, Rules Governing Telecommunications Service Provided by Alternative Local Exchange Companies. ALEC providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapters 25-4, Florida Administrative Code.

In addition, Section 364.337(2), Florida Statutes, requires ALECs which provide basic local telecommunications service to provide access to 911 services. This Commission has no rules specifying the 911 services that either an Incumbent Local Exchange Company (ILEC) or an ALEC must provide; however, 911 service that is inferior to that provided by the ILEC would clearly not be in the public interest. Accordingly, we find that Section 364.337(2), Florida Statutes, requires ALECs which provide basic local telecommunications services to provide at least the same level of 911 services as that provided by the ILEC serving the same area.

IXC providers are subject to Chapter 25-24, Florida Administrative Code, Part X, Rules Governing Telephone Service Provided by Interexchange Telephone Companies. IXC providers are also required to comply with all applicable provisions of Chapter 364, Florida Statute, and Chapters 25-4, Florida Administrative Code.

Further, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed to both WON and WON Management for each certificate. Neither the cancellation of the certificates nor the failure to receive RAFs Return notices shall relieve WON and WON Management from their obligation to pay RAFs.

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request for transfer of Alternative Local Exchange Telecommunications Certificate No. 5181 and Interexchange Telecommunications Certificate No. 5182 from Wireless One Network, L.P. d/b/a Cellular One of Southwest Florida to Wireless One Network Management, L.P. is hereby approved. It is further

ORDERED that Alternative Local Exchange Telecommunications Certificate No. 5181 and Interexchange Telecommunications Certificate No. 5182 shall be amended to reflect that Wireless One Network Management, L.P., is the holder of these certificates. It is further

ORDERED that this Order shall serve as Wireless One Network Management, L.P.'s Alternative Local Exchange Certificate and Interexchange Telecommunications Certificate. This order should be retained by Wireless One Network Management, L.P. as proof of certification. It is further

ORDERED that Wireless One Network Management L.P.'s Alternative Local Exchange Telecommunications Certificate No. 5181 and Interexchange Telecommunications Certificate No. 5182 are subject to the respective terms and conditions set forth in the body of this Order. It is further

ORDERED that each Alternative Local Exchange Telecommunications company which provides basic local telecommunications services shall provide at least the same level of 911 services as that provided by the incumbent local exchange company serving the same area. It is further

ORDERED that Wireless One Network, L.P. d/b/a Cellular One of Southwest Florida shall remit Regulatory Assessment Fees for the year 2000. It is further


ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540

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Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 20th day of December, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

JAE

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding,

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in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 10, 2001.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.