

STATE OF FLORIDA



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OFFICE OF THE GENERAL COUNSEL  
KEITH C. HETRICK  
GENERAL COUNSEL  
(850) 413-6199

# Public Service Commission

May 1, 2018

Kenneth J. Plante, Coordinator  
Joint Administrative Procedures Committee  
Room 680, Pepper Building  
111 W. Madison Street  
Tallahassee, FL 32399-1400

HAND DELIVERY

**Re: Docket No. 20170262-TP; Rule 25-4.004, F.A.C., Certificates Necessity or Authority; Application, and Rule 25-4.005, F.A.C., Transfer of Certificate of Necessity or Authority**

Dear Mr. Plante:

Enclosed are the following materials concerning the above referenced proposed rules:

1. A copy of the proposed rules.
2. A copy of all materials incorporated by reference in the proposed rules.
3. A copy of the F.A.R. notice.
4. A statement of facts and circumstances justifying the proposed rules.
5. A federal standards statement.
6. Statement of Estimated Regulatory Costs for the rules.

If there are any questions with respect to these rules, please do not hesitate to call me at 413-6214.

Sincerely,

Pamela H. Page  
Senior Attorney

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MAY 1 10 11 AM '18  
COMMISSIONERS CLERK

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2018 MAY -1 AM 11:38  
JOINT ADMINISTRATIVE PROCEDURES COMMITTEE

Enclosures

cc: Office of Commission Clerk

1        **25-4.004 Application for Original Certificates Necessity or Transfer of Certificate of**  
2 **Authority; Application.**

3        (1) In order to ~~No person shall~~ provide telecommunications service services to the public  
4 ~~without~~ either a certificate of necessity issued prior to July 1, 2011, or a certificate of authority  
5 issued after July 1, 2011, is required. ~~Service Services~~ may not be provided, nor may deposits  
6 or payment for service services be collected, until the effective date of a certificate or transfer  
7 of a certificate. However, marketing and development activities may begin prior to the  
8 effective date of the certificate at the applicant's risk that the certificate may not be granted.  
9 Prior to certification, the applicant must advise the public in any customer contacts or  
10 advertisements that certification has not and may not be granted.

11        (2) Each ~~An~~ applicant for a certificate of authority shall apply by using ~~submit an~~  
12 ~~application on~~ Form PSC 1020 (4/18) ~~PSC/TEL 162 (12/12)~~, entitled "Application ~~Form~~ for  
13 Original Authority or Transfer of Authority to Provide Telecommunications Company Service  
14 In Within the State of Florida.;" The application ~~which~~ is incorporated into this rule by  
15 reference and ~~which~~ is available at [Dept. of State hyperlink],  
16 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02034>, and from the Florida Public  
17 Service Commission's website at [www.floridapsc.com/utilities/TelecomCLECAApplication/](http://www.floridapsc.com/utilities/TelecomCLECAApplication/)  
18 [www.floridapsc.com/utilities/telecomm/](http://www.floridapsc.com/utilities/telecomm/), or from ~~by contacting~~ the Florida Public Service  
19 Commission's Office of Industry Development and Market Analysis Telecommunications.  
20 Except as provided in Section 364.33, F.S., a certificate holder and the person seeking to  
21 obtain the certificate by transfer from the holder shall submit a joint application using form  
22 PSC 1020 (4/18). A non-refundable application or transfer fee of \$500.00 must accompany the  
23 filing of each application. The Commission's acceptance of the application fee does not imply  
24 that the application or transfer of a certificate will be granted.

25        (3) The company transferring the certificate shall pay to the Florida Public Service

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions  
from existing law.

1 Commission all regulatory assessment fees owed pursuant to Section 364.336, F.S., and Rule  
2 25-4.0161, F.A.C.

3 ~~(4)(3)~~ The An application for certificate of authority or transfer shall be filed with the  
4 Office of Commission Clerk; ~~Florida Public Service Commission, 2540 Shumard Oak~~  
5 ~~Boulevard, Tallahassee, Florida 32399-0850.~~

6 ~~(4) Each holder of a certificate of necessity or authority shall file with the Commission's~~  
7 ~~Office of Commission Clerk updated information for the following items within ten days after~~  
8 ~~a change occurs:~~

9 ~~(a) The street address of the certificate holder including number, street name, city, state~~  
10 ~~and zip code, and the mailing address if it differs from the street address.~~

11 ~~(b) Name, title, and phone number of the individual responsible for contact with the~~  
12 ~~Commission.~~

13 *Rulemaking Authority 350.127(2) FS. Law Implemented 350.113 ~~350.127(1)~~, 364.32, 364.33,*  
14 *364.335, FS. History—New 12-1-68, Formerly 25-4.04, Amended 12-16-12, \_\_\_\_\_.*

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CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1       **25-4.005 Transfer of Certificate of Necessity or Authority.**

2       ~~(1) Except as provided in Section 364.33, F.S., a certificate holder and the person seeking~~  
3 ~~to obtain the certificate by transfer from the holder shall submit a joint application on~~  
4 ~~Commission Form PSC/TEL 162 (12/12), entitled "Application Form for Authority to Provide~~  
5 ~~Telecommunications Company Service Within the State of Florida," incorporated by reference~~  
6 ~~into Rule 25-4.004, F.A.C. The application shall be filed with the Office of Commission~~  
7 ~~Clerk. A nonrefundable application fee of \$500.00 must accompany the filing of each~~  
8 ~~application to cover processing costs. The Commission's acceptance of the application fee~~  
9 ~~does not imply that the application for transfer of a certificate will be granted.~~

10       ~~(2) The company transferring the certificate shall pay to the Commission all regulatory~~  
11 ~~assessment fees owed pursuant to Sections 350.113 and 364.336, F.S. and Rule 25-4.0161,~~  
12 ~~F.A.C.~~

13       *Rulemaking Authority 350.127(2) FS. Law Implemented 350.113, 364.335, 364.336 FS.*  
14       *History—New 12-1-68, Amended 5-4-81, Formerly 25-4.05, Amended 9-16-99, 12-16-12,*  
15       *Repealed*

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**FLORIDA PUBLIC SERVICE COMMISSION**  
**OFFICE OF INDUSTRY DEVELOPMENT**  
**AND MARKET ANALYSIS**

**APPLICATION FOR ORIGINAL AUTHORITY**  
**OR TRANSFER OF AUTHORITY**  
**TO PROVIDE**  
**TELECOMMUNICATIONS SERVICE**  
**IN THE STATE OF FLORIDA**

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**INSTRUCTIONS**

This form should be used as the application for an original certificate and transfer of an existing certificate (from a Florida certificated company to a non-certificated company). In the case of a transfer, the information shall be provided by the transferee. If you have other questions about completing the form, call **(850) 413-6600**.

Print or type all responses to each item requested in the application. If an item is not applicable, please explain. All questions must be answered. If unable to answer the question in the allotted space, please continue on a separate sheet.

Once completed, submit the **original and one copy** of this form along with a **non-refundable** fee of **\$500.00** to:

**Florida Public Service Commission**  
**Office of Commission Clerk**  
**2540 Shumard Oak Blvd.**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6770**

# APPLICATION

This is an application for (check one):

**Original certificate** (new company)

**Approval of transfer of existing certificate:** Example, a non-certificated company purchases an existing company and desires to retain the original certificate rather than apply for a new certificate.

Please provide the following:

1. Full name of company, including fictitious name(s), that must match identically with name(s) on file with the Florida Department of State, Division of Corporations registration:

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2. The Florida Secretary of State corporate registration number:

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3. F.E.I. Number: \_\_\_\_\_

4. Structure of organization:

The company will be operating as a:  
(Check all that apply):

- |  |   |
|--|---|
| <input type="checkbox"/> Corporation               | <input type="checkbox"/> General Partnership          |
| <input type="checkbox"/> Foreign Corporation       | <input type="checkbox"/> Foreign Partnership          |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership          |
| <input type="checkbox"/> Sole Proprietorship       | <input type="checkbox"/> Other, please specify below: |
- 

**If a partnership**, provide a copy of the partnership agreement.

**If a foreign limited partnership**, proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS). The Florida registration number is: \_\_\_\_\_

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5. Who will serve as point of contact to the Commission in regard to the following?

(a) This application:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
Post Office Box: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_  
Fax No.: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

(b) Ongoing operations of the company:

(This company liaison will be the point of contact for FPSC correspondence. This point of contact can be updated if a change is necessary but this must be completed at the time the application is filed).

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
Post Office Box: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_  
Fax No.: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_  
Company Homepage: \_\_\_\_\_

(c) Optional secondary point of contact or liaison:

(This point of contact will not receive FPSC correspondence but will be on file with the FPSC).

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
Post Office Box: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_  
Fax No.: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

6. Physical address for the applicant that will do business in Florida:

Street address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_  
Fax No.: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

7. List the state(s), and accompanying docket number(s), in which the applicant has:

(a) **operated** as a telecommunications company. \_\_\_\_\_  
\_\_\_\_\_

(b) **applications pending** to be certificated as a telecommunications company.  
\_\_\_\_\_  
\_\_\_\_\_

(c) **been certificated** to operate as a telecommunications company. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(d) **been denied authority** to operate as a telecommunications company and the circumstances involved. \_\_\_\_\_  
\_\_\_\_\_

(e) **had regulatory penalties imposed** for violations of telecommunications statutes and the circumstances involved. \_\_\_\_\_  
\_\_\_\_\_

(f) **been involved in civil court proceedings** with another telecommunications entity, and the circumstances involved. \_\_\_\_\_  
\_\_\_\_\_

8. The following questions pertain to the officers and directors. Have any been:

(a) adjudged bankrupt, mentally incompetent (and not had his or her competency restored), or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings?  Yes  No

If yes, provide explanation.  
\_\_\_\_\_  
\_\_\_\_\_

(b) granted or denied a certificate in the State of Florida (this includes active and canceled certificates)?  Granted  Denied  Neither



If granted provide explanation and list the certificate holder and certificate number.

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If denied provide explanation.

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(c) an officer, director, and partner in any other Florida certificated telecommunications company?  Yes  No

If yes, give name of company and relationship. If no longer associated with company, give reason why not.

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9. Florida Statute 364.335(1)(a) requires a company seeking a certificate of authority to demonstrate its managerial, technical, and financial ability to provide telecommunications service.

**Note:** *It is the applicant's burden to demonstrate that it possesses adequate managerial ability, technical ability, and financial ability. Additional supporting information may be supplied at the discretion of the applicant. For the purposes of this application, financial statements MUST contain the balance sheet, income statement, and statement of retained earnings.*

- (a) **Managerial ability:** An applicant must provide resumes of employees/officers of the company that would indicate sufficient managerial experiences of each. Please explain if a resume represents an individual that is not employed with the company and provide proof that the individual authorizes the use of the resume.
- (b) **Technical ability:** An applicant must provide resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance. Please explain if a resume represents an individual that is not employed with the company and provide proof that the individual authorizes the use of the resume.
- (c) **Financial ability:** An applicant must provide financial statements demonstrating financial ability by submitting a balance sheet, income statement, and retained earnings statement. An applicant that has audited financial statements for the most recent three years must provide those financial statements. If a full three years' historical data is not available, the application must include both historical financial data and pro forma data to supplement. An applicant of a newly established company must provide three years' pro forma data. If the applicant does not have audited financial statements, it must be so stated and signed by either the applicant's chief executive officer or chief financial officer affirming that the financial statements are true and correct.

10. Where will you officially designate as your place of publicly publishing your schedule a/k/a tariffs or price lists)? (Tariffs or price lists MUST be publicly published to comply with Florida Statute 364.04).

Florida Public Service Commission

Website – Please provide Website address: \_\_\_\_\_

Other – Please provide address: \_\_\_\_\_

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**THIS PAGE MUST BE COMPLETED AND SIGNED**

**REGULATORY ASSESSMENT FEE:** I understand that all telecommunications companies must pay a regulatory assessment fee. A minimum annual assessment fee, as defined by the Commission, is required.

**RECEIPT AND UNDERSTANDING OF RULES:** I understand the Florida Public Service Commission's rules, orders, and laws relating to the provisioning of telecommunications company service in Florida.

**APPLICANT ACKNOWLEDGEMENT:** By my signature below, I, the undersigned owner or officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical ability, managerial ability, and financial ability to provide telecommunications company service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules, orders and laws.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "***Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083.***"

I understand that any false statements can result in being denied a certificate of authority in Florida.

COMPANY OWNER OR OFFICER

Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## CERTIFICATE TRANSFER

As current holder of Florida Public Service Commission Certificate Number \_\_\_\_\_,  
I have reviewed this application and join in the petitioner's request for a transfer of the  
certificate.

### COMPANY OWNER OR OFFICER

Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Street/Post Office Box: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_  
Fax No.: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Notice of Proposed Rule

### PUBLIC SERVICE COMMISSION

#### RULE NOS.:RULE TITLES:

25-4.004 Certificates of Necessity or Authority; Application

25-4.005 Transfer of Certificate of Necessity or Authority

PURPOSE AND EFFECT: To update and clarify the application form and process for obtaining a certificate to provide telecommunications service or the transfer of the certificate.

Docket No. 20170262-TP

SUMMARY: The amendments streamline Rule 25-4.004, F.A.C., so that applicants are clearly on notice of the procedures and requirements for filing an application to provide telecommunications service or the transfer of such certificate. Rule 25-4.005, F.A.C., would be repealed and its provisions included in Rule 25-4.004, F.A.C.

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule amendment and repeal will not have an adverse impact on economic growth, business competitiveness, or small business and that there may be transactional cost savings to the individual and entities, including government entities, required to comply with the rule.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 350.113, 364.32, 364.33, 364.335, 364.336, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela H. Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, phpage@psc.state.fl.us.

#### THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.004 Application for Original Certificates Necessity or Transfer of Certificate of Authority; Application.

(1) In order to No person shall provide telecommunications service services to the public without either a certificate of necessity issued prior to July 1, 2011, or a certificate of authority issued after July 1, 2011, is required. Service Services may not be provided, nor may deposits or payment for service services be collected, until the effective date of a certificate or transfer of a certificate. However, marketing and development activities may begin prior to the effective date of the certificate at the applicant's risk that the certificate may not be granted. Prior to certification, the applicant must advise the public in any customer contacts or advertisements that certification has not and may not be granted.

(2) Each An applicant for a certificate of authority shall apply by using submit an application on Form PSC 1020 (4/18) PSC/TEL 162 (12/12), entitled "Application Form for Original Authority or Transfer of Authority to Provide Telecommunications Company Service In Within the State of Florida,;" The application which is incorporated into this rule by reference and which is available at [Dept. of State hyperlink], <http://www.flrules.org/Gateway/reference.asp?No=Ref-02034>, and from the Florida Public Service Commission's website at [www.floridapsc.com/utilities/TelecomCLECApplication/](http://www.floridapsc.com/utilities/TelecomCLECApplication/) [www.floridapsc.com/utilities/telecomm/](http://www.floridapsc.com/utilities/telecomm/), or from by contacting the Florida Public Service Commission's Office of Industry Development and Market Analysis Telecommunications. Except as provided in Section 364.33, F.S., a certificate holder and the person seeking to obtain the certificate by transfer from the holder shall submit a joint application using form PSC 1020 (4/18). A non-refundable application or transfer fee of \$500.00 must accompany the filing of each application. The Commission's acceptance of the application fee does not imply that the application or transfer of a certificate will be granted.

~~(3) The company transferring the certificate shall pay to the Florida Public Service Commission all regulatory assessment fees owed pursuant to Section 364.336, F.S., and Rule 25-4.0161, F.A.C.~~

~~(4)(3) The An application for certificate of authority or transfer shall be filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.~~

~~(4) Each holder of a certificate of necessity or authority shall file with the Commission's Office of Commission Clerk updated information for the following items within ten days after a change occurs:~~

~~(a) The street address of the certificate holder including number, street name, city, state and zip code, and the mailing address if it differs from the street address.~~

~~(b) Name, title, and phone number of the individual responsible for contact with the Commission.~~

~~Rulemaking Authority 350.127(2) FS. Law Implemented 350.113 ~~350.127(4)~~, 364.32, 364.33, 364.335, FS. History--New 12-1-68, Formerly 25-4.04, Amended 12-16-12, \_\_\_\_\_.~~

25-4.005 Transfer of Certificate of Necessity or Authority.

~~Rulemaking Authority 350.127(2) FS. Law Implemented 350.113, 364.335, 364.336 FS. History--New 12-1-68, Amended 5-4-81, Formerly 25-4.05, Amended 9-16-99, 12-16-12, Repealed \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Greg Fogleman.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 43, Number 196, October 10, 2017.

Rules 25-4.004, and 25-4.005,  
F.A.C.  
Docket No. 20170262-TC

STATEMENT OF FACTS AND CIRCUMSTANCES  
JUSTIFYING RULE

Rule 25-4.004, F.A.C., and Rule 25-4.005, F.A.C., set forth the requirements and the forms necessary to apply for a certificate to provide telecommunications service or for the transfer of such certificate. Rule 25-4.005, F.A.C., will be repealed and its provisions included in Rule 25-4.004, F.A.C. in order to eliminate any redundancy in the rules. The rule amendments modify, streamline and clarify the application form and assist in avoiding application confusion as to the information required to be submitted to obtain a certificate.

STATEMENT ON FEDERAL STANDARDS

There are no federal standards for these rules.



# 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-**

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**DATE:** December 13, 2017

**TO:** Pamela H. Page, Senior Attorney, Office of the General Counsel

**FROM:** Suzanne M. Ollila, Economic Analyst, Division of Economics *S.M.O.*

**RE:** Statement of Estimated Regulatory Costs (SERC) for Proposed Amendments to Rule 25-4.004 (Certificates Necessity or Authority; Application) and for Proposed Repeal of Rule 25-4.005 (Transfer of Certificate of Necessity or Authority), Florida Administrative Code (F.A.C.)

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Both rules concern telecommunications service. The purpose of the rulemaking is to streamline, update, and clarify Rules 25-4.004 and 25-4.005, F.A.C., resulting in the repeal of Rule 25-4.005, F.A.C. Rule 25-4.004, F.A.C., establishes the requirements and processes necessary to apply for a certificate to provide telecommunications service. Rule 24-4.005, F.A.C., establishes the requirements for transfer of a telecommunications service certificate. Both rules contain links to their application forms and both rules require a nonrefundable application fee of \$500. The proposed amendments to Rule 25-4.004, F.A.C., incorporate the requirements of Rule 25-4.005, F.A.C, update and clarify language, and provide for the same application form for both the application for a certificate and transfer of a certificate (the link to the application would continue to be available in the amended rule). The nonrefundable application fee of \$500 is unchanged in the proposed amendments.

The attached SERC addresses the considerations required pursuant to Section 120.541, Florida Statutes (F.S.). No workshop was requested in conjunction with the recommended rule revisions. No regulatory alternatives were submitted pursuant to paragraph 120.541(1)(a), F.S. None of the impact/cost criteria established in paragraph 120.541(2)(a), F.S., will be exceeded as a result of the recommended revisions.



FLORIDA PUBLIC SERVICE COMMISSION  
STATEMENT OF ESTIMATED REGULATORY COSTS  
Rules 25-4.004 and 25-4.005, F.A.C.

1. Will the proposed rule have an adverse impact on small business?  
[120.541(1)(b), F.S.] (See Section E., below, for definition of small business.)

Yes

No

If the answer to Question 1 is "yes", see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes

No

If the answer to either question above is "yes", a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

(1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule?  
[120.541(2)(a)1, F.S.]

Economic growth

Yes  No

Private-sector job creation or employment

Yes  No

Private-sector investment

Yes  No

(2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule?  
[120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes  No

Productivity

Yes  No

Innovation

Yes  No

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes

No

Economic Analysis:

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.  
17 (number of applications for certificates in 2016).

(2) A general description of the types of individuals likely to be affected by the rule.  
Companies or governmental entities who wish to provide telecommunications service.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the Commission to implement and enforce the rule.

None. To be done with the current workload and existing staff.

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

None. The rule will only affect the Commission.

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

Applicants may see cost savings because amendments clarify the process, eliminate redundancy, and streamline the process. There is no change in the filing fee.

(3) Any anticipated effect on state or local revenues.

- None.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used, procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring or reporting, and any other costs necessary to comply with the rule. [120.541(2)(d), F.S.]

- None. The rule will only affect the Commission.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

Applicants may see cost savings because amendments clarify the process, eliminate redundancy, and streamline the process. There is no change in the filing fee.

E. An analysis of the impact on small businesses, and small counties and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- No adverse impact on small business.
- Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

Applicants may see cost savings because amendments clarify the process, eliminate redundancy, and streamline the process. There is no change in the filing fee.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

No impact on small cities or small counties.

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

Applicants may see cost savings because amendments clarify the process, eliminate redundancy, and streamline the process. There is no change in the filing fee.

F. Any additional information that the Commission determines may be useful.  
[120.541(2)(f), F.S.]

None.

Additional Information:

G. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(g), F.S.]

No regulatory alternatives were submitted.

A regulatory alternative was received from

Adopted in its entirety.

Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.