

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of INTER-TEL)	DOCKET NO. 910155-TI
NETSOLUTIONS, INC. for a certificate)	
of public convenience and necessity)	ORDER NO. 24696
authorizing operation as an inter-)	
exchange telephone company in Florida)	ISSUED: 6/24/91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 J. TERRY DEASON
 BETTY EASLEY
 GERALD L. GUNTER
 MICHAEL MCK. WILSON

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING IXC CERTIFICATE TO
INTER-TEL NETSOLUTIONS, INC.

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On February 15, 1991, INTER-TEL NETSOLUTIONS, INC. (INS or the company) filed an application for a Certificate of Public Convenience and Necessity to operate as an interexchange telephone company (IXC). The company is a foreign corporation authorized to do business in Florida. INS states that it has not previously provided intrastate service in Florida, and agrees to comply with the Commission's EAEA requirements, LEC bypass restrictions, payment of regulatory assessment fees and all other applicable Commission rules and orders.

INS is non-facilities based and leases switching and transmission capacity, depending upon traffic demand. It initially plans to offer resold long distance service with alternative operator service in the Tampa, St. Petersburg and Clearwater exchange areas.

Rules 25-24.470, and 25-24.471, Florida Administrative Code, establish the requirements for certification as an interexchange telephone company (IXC). Upon review, we find that the company's application has satisfied our standard filing requirements.

DOCUMENT NUMBER-DATE
 06286 JUN 24 1991
 PSC-RECORDS/REPORTING

ORDER NO. 24696
DOCKET NO. 910155-TI
PAGE 2

Rule 25-24.485, Florida Administrative Code, requires that each interexchange carrier wishing to do business in Florida maintain a tariff on file with this Commission of particular format and content. Upon review, we find that the Company's tariff is of proper format and meets this Commission's standard filing requirements.

As the company's tariff and application have satisfied our certification requirements, we find that INS shall be granted a certificate to operate as an IXC.

Rule 25-24.490(3), Florida Administrative Code, requires that all IXC's requiring any deposits or requiring advance payments of more than one month's service file a bond with this Commission in an amount equal to the balance of those deposits and advance payments. The company's tariff states that it will require deposits from its customers who are unable to demonstrate a good credit or payment history. INS has requested a waiver of this Rule based on the viability of its parent company, INTER-TEL INCORPORATED (INTER-TEL). INS views the bonding requirement as burdensome and unnecessary in view of the commitment of its parent.

In support of its waiver request INS submitted financial data for INTER-TEL. The data for both 1989 and 1990 indicated that INTER-TEL appears financially sound, but small, with heavily diluted stock values and modest income and growth. No data was submitted for INS. Upon review, we find that a waiver of the bond requirement is not warranted. The company shall be required to obtain authorization from this Commission prior to collecting any customer deposits.

Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that a certificate of convenience and necessity to operate as an IXC with AOS shall be granted to INTER-TEL NETSOLUTIONS, INC. It is further

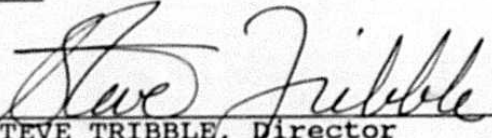
ORDERED that INTER-TEL NETSOLUTIONS, INC. does not meet the Commission's requirements for waiver of the bond requirement and shall obtain authorization from this Commission prior to collecting any customer deposits or advance payments in excess of one month. It is further

ORDERED that this Docket shall be closed after the effective

ORDER NO. 24696
DOCKET NO. 910155-TI
PAGE 3

date of the proposed agency action (PAA) order, assuming no protest is received.

By ORDER of the Florida Public Service Commission, this 24th
day of JUNE, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, 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 or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on

ORDER NO. 24696
DOCKET NO. 910155-TI
PAGE 4

July 15, 1991 .

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.