

# Utilicore

99 APR -2 11 8 53

MAIL ROOM

March 22, 1999

Florida Public Service Commission  
Division of Records & Reporting  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RE: Docket No. 980459-TP

Director:

The following is our written response to the show cause order to comply with the flow-through provisions of Order No. PSC-98-0798-FOF-TP and Section 364.163(3).

First of all, Utilicore has, and continues to have, every intention to comply with the orders issued by the Commission. Due to circumstances and the chain of events leading up to the present, we have been in a less than advantageous position to respond accordingly. Thomas Beard, our previous Vice-President of Regulatory Affairs was terminated, along with our President, by an act of our Board of Directors with litigation currently pending. After sorting through the sordid details, our Vice-President of Technology, Jon Ellis, was delegated the responsibility of responding to the order. We were lead to believe that this was being addressed as ordered. As of February 15<sup>th</sup>, Jon Ellis was also terminated. On March 10<sup>th</sup>, I received a fax from our Board of Directors, questioning the status in response to the notice issued by the commission on March 5<sup>th</sup>. Since this time, I have attempted to understand the order and comply as discussed in telephone conversations with Sue Ollila and Cathy Bedell. The following represents my findings:

Based upon my research Utilicore did not purchase switched access from the period beginning October 1, 1998. We were a purchaser and provider of resale residential and business lines from both GTE and Sprint Local. All of our customers were resale customers. Our original business plan and intention was to install our own switches and be a facilities based provider, however, we failed to progress to that point. With the insurmountable issues before us, we notified all our customers, and ceased to offer (resale) any local or long distance services as of February 15, 1999.

It is with the above circumstances that we respectfully request that Utilicore not be fined for refusal to comply, and further request that the above referenced docket number be closed.

Any further response or questions should be addressed to my attention at our new address:  
8466 North Lockwood Ridge, Suite 261, Sarasota, Florida 34243.

Respectfully,

Dawn Cockrell

XC: Sue Ollila; Catherine Bedell - FPCS  
Rich Meiman; Harvey Judkowitz - Utilicore

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU 1 \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG 1 \_\_\_\_\_  
LIN \_\_\_\_\_  
OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
WAS \_\_\_\_\_  
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE  
04254 APR-28  
FPSC-RECORDS/REPORTING