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# Public Service Commission

June 2, 2011

Mr. Douglas D. Orvis, II  
Bingham McCutchen, LLP  
2020 K. Street NW  
Washington, DC 20006-1806

**Re: Undocketed – TAG Mobile, LLC's ETC Designation**

Dear Mr. Orvis:

We received your May 25, 2011 letter requesting a statement that the Florida Public Service Commission's jurisdiction to grant ETC designation to TAG Mobile, LLC changed with Governor Scott's approval of HB 1231, the telecom reform bill.

This letter acknowledges that Governor Scott's approval of HB 1231, the telecom reform bill, revises Chapter 364, Florida Statutes, thereby changing the Commission's jurisdiction regarding telecommunications companies. I direct your attention to Chapter 364, Florida Statutes, including the revisions by HB 1231 for the proposition that the Federal Communications Commission, rather than this Commission is the appropriate agency to consider TAG Mobile, LLC's bid for ETC status.

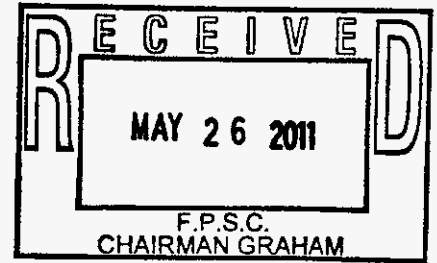
Sincerely,

A handwritten signature in cursive script that reads "S. Curtis Kiser".

S. Curtis Kiser  
General Counsel

cc: Beth W. Salak, Director, Division of Regulatory Analysis  
Robert J. Casey, Public Utilities Supervisor, Division of Regulatory Analysis  
Adam J. Teitzman, Attorney Supervisor, Office of the General Counsel  
Ann Cole, Commission Clerk, Office of Commission Clerk

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Douglas D. Orvis II  
Direct Phone: 202.373.6041  
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douglas.orvis@bingham.com

May 25, 2011

**VIA OVERNIGHT MAIL**

Art Graham, Chairman  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RE: Florida House Bill 1231

Dear Chairman Graham:

On or about May 18, 2011, a representative of TAG Mobile, LLC, met with representatives of the staff of the Florida Public Service Commission. During that meeting, staff members informed TAG's representative that a recently approved law, Florida House Bill 1231, has amended Florida statutes to remove jurisdiction of the PSC over wireless services, such as those provided by TAG.

The purpose of TAG's meeting was to discuss TAG's intention to file a petition with the PSC seeking designation as an Eligible Telecommunications Carrier ("ETC") under the federal Universal Service Fund ("USF") for the purpose of providing service to low income consumers. In the past, these petitions have been filed with the PSC in accordance with procedures outlined in 47 U.S.C. § 214(e), and regulations promulgated by the FCC. PSC staff informed TAG that section 364.011(4) of HB 1231 amended Florida Statutes such that the PSC would no longer have jurisdiction over such petitions and requested that TAG file its petition with the FCC.

Under the FCC's regulations, the FCC can exercise jurisdiction over ETC designation petitions if the applicable state PSC has declined jurisdiction. Typically, petitioners at the FCC demonstrate that the state commission has declined jurisdiction by providing a letter from the state commission noting it has declined or otherwise lacks jurisdiction over ETC petitions.

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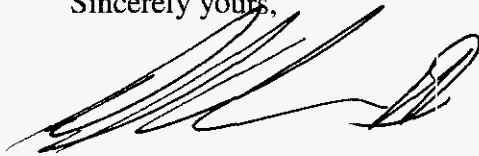
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Art Graham, Chairman  
May 25, 2011  
Page -2-

As such, TAG requests that the Florida PSC, or a designee thereof, provide TAG with a letter indicating the PSC has declined jurisdiction over TAG's ETC petition and that TAG should file its petition for ETC designation with the FCC.

Thank you for your attention to this matter. Should you have any questions about this request, please do not hesitate the undersigned at (202)-373-6041.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Douglas D. Orvis II". The signature is fluid and cursive, with a large loop at the end.

Douglas D. Orvis II

cc: Robert Casey