



# 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-**

RECEIVED-FPSC  
12 MAY 31 AM 9:01

COMMISSION  
CLERK

**DATE:** May 31, 2012  
**TO:** Adam Teitzman, Attorney Supervisor, Office of the General Counsel  
**FROM:** Beth W. Salak, Director, Division of Regulatory Analysis  
**RE:** Docket No. 110259-TX; Application for certificate to provide local telecommunications service by Performance Communications Inc.

On August 29, 2011, this Commission received a local telecommunications service application to provide telecommunications service in Florida from Performance Communications Inc.

Upon review, Commission staff found the application to be incomplete. The company neglected to provide managerial, technical or financial capability information as required by the local telecommunications service application. Staff attempted to contact the company on numerous occasions using the email address listed in the application. Staff spoke with Todd Rosenschein at the telephone number listed for him in the application. Mr. Rosenschein stated that he would have the company submit the required information necessary to complete its local telecommunications service application. Staff did not receive the information requested in email and by telephone.

On May 11, 2012, staff faxed and mailed, the company a certified letter requesting the additional information needed to complete the local telecommunications service application be submitted by May 25, 2012. The certified letter was signed for on May 15, 2012, and staff has not received the information necessary to complete the local telecommunications service application.

As required in Section 2.07.C.5.g, Administrative Procedures Manual, on May 11, 2011, a certified letter was sent to the company requesting missing application information within 15 days. As of the date of this Memorandum, no response has been received from the applicant. Therefore, staff recommends that the local telecommunications service application be denied and the docket shall be closed upon issuance of an administrative order.

This is to inform you that I concur with staff's recommendation to deny the local telecommunications service application in Docket No. 110259-TX.

- COM \_\_\_\_\_
- APA \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL   1   c:
- RAD   1
- SRC \_\_\_\_\_
- ADM \_\_\_\_\_
- OPC \_\_\_\_\_
- CLK \_\_\_\_\_

- CCA (2)
- RAD (Earnhart)
- GCL (Hopkins)

DOCUMENT NUMBER: 03478 MAY 31 2012  
FPSC-COMMISSION CLERK