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Public Service Commission

March 27, 2012

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COMMISSION  
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Mr. Lance J.M. Steinhart, P.C.  
Attorney at Law  
1725 Windward Concourse  
Suite 150  
Alpharetta, Georgia 30005

**Re: Undocketed – Linkup Telecom, Inc.’s ETC Designation**

Dear Mr. Steinhart:

We have received your March 22, 2012 letter requesting a statement that the revisions to Chapter 364, Florida Statutes, modified the Florida Public Service Commission’s jurisdiction to designate Linkup Telecom, Inc. (Linkup), a Commercial Mobile Radio Service (CMRS) Provider and Mobile Virtual Network Operator (MVNO), as an ETC.

This letter acknowledges that, effective July 1, 2011, revisions to Chapter 364, Florida Statutes, modified the Commission’s jurisdiction to grant ETC designations to wireless telecommunications companies. I direct your attention to Chapter 364, Florida Statutes, for the proposition that the Federal Communications Commission, rather than this Commission, is the appropriate agency to consider Linkup Telecom, Inc.’s bid for ETC status.

Sincerely,

*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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March 22, 2012

**VIA OVERNIGHT DELIVERY**

Art Graham, Chairman  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: *Request for Letter Clarifying Jurisdiction Over Wireless CETC Petitions*

Dear Mr. Graham:

Linkup Telecom, Inc. ("Linkup"), a commercial mobile radio service ("CMRS") provider and mobile virtual network operator ("MVNO"), wishes to seek designation as a competitive eligible telecommunication carrier ("CETC") in Florida in order to participate in the FCC's Lifeline support program for qualifying low-income consumers. Linkup will offer attractive pricing options and an innovative and an accessible network of neighborhood points of sale to help advance the regulatory goals of the low-income support programs.

It is Linkup's understanding that Florida, as a result of the recent change of law in HB 1231, does not assert jurisdiction to designate CMRS providers as CETCs in the state, and that such carriers wishing to be designated as CETCs in Florida must present their applications to the FCC. In order to petition the FCC for CETC designation in a state, the FCC requires an "affirmative statement" from the state declaring that it does not assert jurisdiction to designate CMRS providers as CETCs. We would appreciate if you could provide us a letter with such statement.

We would also appreciate your expeditious consideration of this request. Linkup hopes to file its CETC petition as soon as possible to be able to provide Lifeline service to eligible low-income consumers without delay. A copy of a similar letter you provided to another MVNO CETC applicant is attached. Please let me know if you have any questions.

Respectfully,

  
Lance J.M. Steinhart  
Attorney for Linkup Telecom, Inc.