





COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 355, HARRISBURG, PA 17105-3255

IN REPLY PLEASE  
REFER TO OUR FILE

AUGUST 21, 2000

A-310922 A-310922F0002

A-310922F0003

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WASHINGTON DC 20006

Application of Core Communications, Inc. for approval to offer, render, furnish or supply telecommunication services as an Interexchange Carrier, Competitive Local Exchange Carrier and as a Competitive Access Provider to the public in the Commonwealth of Pennsylvania.

To Whom It May Concern:

This is to advise you that the Commission in Public Meeting on August 17, 2000 in the above-entitled proceeding has adopted an Order.

An Order has been enclosed for your records.

Very truly yours,

James J. McNulty  
Secretary

smk  
Enclosure  
cert. Mail

DOCKETED  
AUG 24 2000  
DOCUMENT  
FOLDER

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA. 17105-3265**

Public Meeting held August 17, 2000

Commissioners Present:

John M. Quain, Chairman  
Robert K. Bloom, Vice Chairman  
Nora Mead Brownell  
Aaron Wilson, Jr.  
Terrance J. Fitzpatrick

Application of Core Communications, Inc. for Approval to Offer, Render, Furnish or Supply Telecommunication Services as an Interexchange Carrier, Competitive Local Exchange Carrier and as a Competitive Access Provider to the Public in the Commonwealth of Pennsylvania.

Docket Number:  
A-310922  
A-310922F0002  
A-310922F0003

**ORDER**

**DOCKETED**  
**AUG 24 2000**

**BY THE COMMISSION:**

On March 14, 2000, Core Communications, Inc. ("Applicant or Core"), filed an Application seeking a Certificate of Public Convenience pursuant to the Telecommunication Act of 1996, 47 U.S.C. §§201, *et seq.*, (TA-96)<sup>1</sup> and to Chapter 11 and 30 of the Public Utility Code (Code) (66 Pa. C.S. §1101, *et seq.*, and §§3001, *et seq.*) evidencing authority to provide telecommunication services as an Interexchange Carrier (IXC), Competitive Access Provider (CAP) and as a Competitive Local Exchange Carrier (CLEC) to residential and business customers in the service area of Bell Atlantic – Pennsylvania, Inc.

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<sup>1</sup> Market entry requirements, in light of the policy objectives of the TA-96, for telecommunication service providers are set out in *In Re: Implementation of the Telecommunications Act of 1996*, Docket No. M-00960799 (Implementation Order: June 3, 1996; and Implementation reconsideration Order: September 9, 1996).

This application complied with section 5.14 of our regulations, 52 Pa Code §5.14. relating to applications requiring notice. No protests were filed. No hearings were held.

The Applicant requests authority to provide facilities-based competitive local exchange services throughout the service territory of Bell Atlantic – Pennsylvania, Inc. Applicant certifies that the Application was served upon Bell Atlantic-Pennsylvania, Inc. Applicant proposes to market its services to residential and business customers. The applicant asserts that it will not be a rural telephone company. The applicant requests authority to provide services as a facilities-based IXC Carrier and CAP throughout the Commonwealth.

The Applicant is a foreign corporation with its principal place of business at 209 West Street, Suite #302, Annapolis, MD 21401. The Applicant provided proof of compliance with 15 Pa C.S. §4124, relating to foreign corporations. Correspondence to resolve complaints may be directed to Christopher F. Van de Verg at the Applicant's headquarters.

The Applicant is not currently doing business in Pennsylvania and has no affiliates or predecessors doing business in Pennsylvania.

The Applicant has no affiliates providing service to or rendering service from the applicant.

Issues affecting CLECs have been addressed and are being addressed in a number of Commission proceedings.<sup>2</sup> A CLEC applicant is expected to adhere to

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<sup>2</sup> See, e.g., *MFS*, Docket Nos. A-310203, F0002, *et al.*, (October 4, 1995; July 31, 1996; and August 7, 1997); *Pa. PUC v. Bell*, Docket No. R-00963578; *Pa. PUC v. GTE*.

the requirements relative to universal service and lifeline programs, as initially set forth or as subsequently enlarged or modified.<sup>3</sup> Further, Section 253(b) of the TA-96 permits a state commission to impose, on a competitively neutral basis and consistent with the Universal Service Section, requirements necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunication services, and safeguard the rights of consumers. In response, we articulated explicit concerns relative to an applicant's financial fitness, tariff compliance, and rates.<sup>4</sup>

The Applicant has provided financial information to support its Application. We, therefore, conclude that the Applicant has demonstrated that it is financially capable of providing CLEC and Interexchange Carrier Services to the public.

We conclude that the Applicant has met the requirements for certification as a CLEC, facilities-based IXC and CAP<sup>5</sup>, consistent with this Order. Premised upon our review of the Application and the proposed tariffs, and consistent with our Orders, the Code, our Regulations and the TA-96, we conclude that the Applicant's proposed services do not raise concerns at this time regarding safety, adequacy, reliability, or privacy as contemplated by Section 3009(b)(4) of the Code. We note, however, deficiencies in the proposed tariffs. See Appendix A.

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Docket No. R-0093666; *Global Order*, Docket Nos. P-00991648, *et al.*; as well as other CLEC proceedings.

<sup>3</sup> *Universal Service Invest.*, Docket No. I-00940035 (January 28, 1997).

<sup>4</sup> *Blue Ribbon*, Docket No. A-310442 (April 25 and August 4, 1997).

<sup>5</sup> CAP authority may not be used to access the Public Switched Network or toll calling. If a utility with CAP authority wishes to provide access to the Public Switched Network or to provide local or IXC (intraLATA or interLATA) calling services to its customers, the utility must also have been granted CLEC and/or IXC authority by the Commission.

We shall direct the Applicant to revise the proposed tariffs in accordance with the changes noted in Appendix A of this Order.<sup>6</sup> The Applicant shall thereafter file its Initial CLEC and Interexchange Carrier Tariffs reflecting the requested changes on or before sixty (60) days from the date of entry of this Order. Copies of the Initial Tariffs shall also be served upon the incumbent entities receiving service of the original Application, including the ILECs. If the time required for such resolution and filing exceeds sixty (60) days, the Applicant may request an extension of an additional sixty (60) days with the Commission's Secretary. Thus, if the Initial Tariffs are not filed within 60 days (120 days including the extension) of the entry of this Order, the Application will be dismissed and the authority granted herein will be revoked without further Commission Order. To the extent that the proposed tariffs contains rates, the Initial Tariffs may become effective on one (1) day's notice from the date upon which it is filed and served.

### Conclusion

Accordingly, we shall grant the Application. The Applicant has had provisional authority under our implementation Order (p. 7, para. B.1.c.4) and our Implementation Reconsideration Order (p. 5) to provide the proposed services pursuant to its proposed tariff during the pendency of the application process. Upon the establishment of filed rates and the approval of Initial Tariffs, a certificate of public convenience shall be issued evidencing the Applicants

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<sup>6</sup> Leonard Peyton, 717-787-3665, is the FUS contact. Regardless of the review process, any tariff provision(s) inconsistent with the provisions of the Code, the TA-96, or our Regulations or Orders will be deemed inoperative and supersede. (52 Pa. Code §64.213).

authority to provide service as a CLEC, IXC and CAP in the Commonwealth, consistent with this Order and our decisions in the *MFS* and other proceedings;

**THEREFORE,**

**IT IS ORDERED:**

1. That the Application of Core Communications, Inc., at Docket No. A-310922F0002, for authority to operate as a Facilities-based Competitive Local Exchange Carrier within the service territory of Bell Atlantic – Pennsylvania, consistent with this Order.
2. That the Application of Core Communications, Inc., at Docket No. A-310922, for authority to operate as a Facilities-base Interexchange Carrier within the Commonwealth of Pennsylvania is granted, consistent with this Order.
3. That the Application of Core Communications, Inc., at Docket No. A-310922F0003, for authority to operate as a Competitive Access Provider within the Commonwealth of Pennsylvania is granted, consistent with this Order.
4. That the Applicant is directed to revise its proposed tariffs to reflect the changes noted in Appendix A of this Order.
5. That the Applicant shall file its initial Competitive Local Exchange Carrier Tariff, Interexchange Carrier Tariff and Competitive Access Provider Tariff, consistent with the requisite changes noted in Appendix A, within

sixty (60) days after the date of entry of this Order. The Applicant shall serve a copy of its Initial Tariffs on each entity receiving a copy of the original Application. To the extent the Initial Tariffs contain rates the Initial Tariffs may become effective on or after one (1) day's notice from the date upon which they are filed and served. A Proposed Tariff, which did not contain rates, may not become effective prior to sixty (60) days notice. The initial Competitive Local Exchange Carrier Tariff shall be labeled "Competitive Local Exchange Carrier Tariff."

6. That the Applicant shall comply with all the provisions of the Public Utility Code, as now exist or as may be hereafter amended, and with all pertinent rules, regulations, and Orders of the Pennsylvania Public Utility Commission, now in effect or as may be prescribed by the Pennsylvania Public Utility Commission, including but not limited to; the *MFS Intelenet, et al*, Docket Nos. A-310203F0002, *et al*; and the *Universal Service Investigation*, Docket No. I-00940035; and the *Global Order*, Docket No. P-00991648, *et al*.

7. That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the Applicant shall not be construed as conferring more than one operating right to the Applicant.

8. That the Applicant files such affiliated interest agreements as may be necessary relative to any transactions with affiliates.

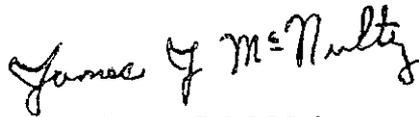
9. That the Applicant contact each county or municipal authority where it intends to provide telecommunication service and make he necessary arrangements for the provisioning of Emergency 911 service.

10. That the Applicant shall make 711 abbreviated dialing available to access Telecommunications Relay Service and to arrange its switching equipment to translate these calls to the assigned toll-free number, (888) 895-1197, in order to route calls to the Telecommunication Relay Service Provider, in accordance with Commission's Order entered on February 4, 2000 at Docket No. M-00900239.

11. That, in the event that the Applicant has not, on or before sixty (60) days (120 days including an approved extension) from the date of entry of this Order, complied with the requirements set forth herein, the application at Docket Nos. A-310922, A-310922F0002 and A-310922F0003, may be dismissed and the authority granted herein revoked without further Commission Order.

12. That, upon the establishment of filed rates and the approval of Initial Tariffs, a Certificate of Public Convenience shall be issued authorizing the Applicant to furnish services as a Competitive Local Exchange Carrier within the service territory of Bell Atlantic – Pennsylvania, Interexchange Carrier, and as a Competitive Access Provider in the Commonwealth of Pennsylvania, consistent with this Order.

**BY THE COMMISSION,**



James J. McNulty  
Secretary

(SEAL)

ORDER ADOPTED: August 17, 2000

ORDER ENTERED **AUG 21 2000**

APPENDIX A

Core Communications, Inc.

A-310940F0002 (CLEC)

Tariff deficiencies noted for Tariff No. 1.

1. Original page 26 Section 2.7.4 Late payment charges - The late payment charge for residential customers on an overdue bill should not exceed 1.25% per month on the unpaid balance of the bill and may not include previously accrued late payment charges. §64.16