

Competing Local Service Provider Certification

The following information is provided to assist interested persons regarding certification to offer intrastate competitive local services in Arkansas.

Arkansas Code Annotated §23-17-403(8) defines a CLEC or competing local exchange carrier to mean a local exchange carrier that is not an incumbent local exchange carrier.

The Commission's *Rules of Practice and Procedure* (RPP) Rule 6.09. (f) sets out the required information to be included in an application for a Certificate of Public Convenience and Necessity (CCN) for Competing Local Exchange Carriers. A copy of RPP Rule 6.09. (f) is included below.

Certification is required for telecommunications providers that resell services as well as facilities based providers.

The application should be signed and verified in accordance with RPP Rule 3.06. The filing fee is two hundred dollars (\$200.00) and must accompany each application for a CCN. An original of the application should be submitted to the Secretary of the Commission ((501)682-5782).

All filings shall be made with the Secretary and shall be by one of the following means:

- (1) Electronic filings through the Commission's Electronic Filing System on its website;
- (2) In person at the Secretary's Office at 1000 Center Street, Little Rock, Arkansas; or
- (3) By mail to the following address:

Secretary of the Commission
Arkansas Public Service Commission
1000 Center Street, P.O. Box 400
Little Rock, AR 72203

Electronic filing is the Commission's preferred filing method. All Persons filing documents with the Commission are encouraged to file electronically to the greatest extent possible.

Filings in person or by mail shall include the original and one copy. Only one copy of protected material in unredacted form shall be filed.

RPP Rule 4.01 states that any individual may enter an appearance on his or her own behalf in any Docket before the Commission. Except as provided in Subsection (a), no one but a licensed attorney may represent any Person other than himself or herself in any Docket. It is not required that the attorney be licensed in Arkansas.

RPP Rule 4.08 (c) (2) states unless the Commission shall otherwise order, an Applicant or Complainant who initiates a Docket shall fill supporting written testimony with or without exhibits concurrently with its application, tariff, petition, request or complaint.

A complete copy of the RPP, *Telecommunications Providers Rules*, *Arkansas High Cost Fund Rules*, or *Arkansas Intrastate Carrier Common Line Pool Rules* may be purchased from the

Secretary's office at the cost of \$.25 per page. Rules are also available from the Commission's web site at <http://www.accessarkansas.org/psc>.

RPP Rule 6.09.(f)(2) requires that an application by a non-Arkansas corporation include a copy of their certificates to operate as a foreign corporation and, if appropriate, to operate with a fictitious name as issued by the Arkansas Secretary of State. The Office of the Secretary of State may be reached at (501) 682-1010.

After certification CLECs become participants with the incumbent local exchange carriers and interexchange carriers in the Arkansas Intrastate Carrier Common Line Pool (AICCLP). Pool participants are generally required to report Intrastate revenues monthly, pay common line access charges monthly, and furnish an audit annually. The Administrator of the AICCLP can be reached at (479) 495-5881.

Telecommunications providers are required to participate in the Arkansas High Cost Fund (ARHCF) which is currently administered by Rural Telcom Solutions, LLC located at 810 Dan Ark Circle, P.O. Box 608, Danville, AR 72833-0608. Additional information is available on the website at <http://www.ruraltelcom.com>. The Manager of State ARHCF can be reached at (479) 495-5881.

Telecommunications providers are required to provide an annual report pursuant to Arkansas Code Annotated §23-2-308, report their gross revenues annually in accordance with §23-3-109 and pay an annual fee in accordance with §23-3-110. Questions concerning the annual or revenue report should be directed to the Commission's Audit Section at (501) 682-5657.

Telecommunications providers are required to provide annual reports to the Commission's Tax Division for the purpose of ad valorem taxation. Questions concerning the taxation should be directed to the Commission's Tax Division at (501) 682-1231.

Rule 6.09 Certificates of Public Convenience and Necessity -- Local Exchange Carriers

(f) Certificates of Public Convenience and Necessity -- Competing Local Exchange Carriers

An application for a CCN by a CLEC to provide Telecommunications Services including basic local exchange service and/or switched access service to an ILEC's local exchange area shall include:

- (1) Its name and address and the full name of its owner if a sole proprietorship, of each partner if a partnership, or a full list of the officers and directors if a corporation;
- (2) A copy of the articles of a partnership or a certified copy of the Articles of Incorporation or other articles of organization. A copy of the Certificate of Authority of a Foreign Corporation, unless incorporated under Arkansas law;
- (3) The designated geographic area proposed to be served, including a map(s) to suitable scale and a legal description;
- (4) A description of the services the Applicant intends to provide in addition to basic local exchange and switched access services;

(5) Information demonstrating the Applicant's financial, managerial and technical capacity to provide the services;

(6) An initial tariff or price list for the services to be offered; and

(7) Such other information as the Commission may require.