

DOCKET NO. 51899

APPLICATION OF UNITED § PUBLIC UTILITY COMMISSION
COMMERCIAL TELECOM, LLC FOR A §
SERVICE PROVIDER CERTIFICATE § OF TEXAS
OF OPERATING AUTHORITY §

NOTICE OF APPROVAL

This Notice of Approval addresses the application of United Commercial Telecom, LLC for a service provider certificate of operating authority (SPCOA). The Commission issues SPCOA number 61028 in the name of United Commercial Telecom, LLC.

Applicant

1. United Commercial Telecom is a Florida limited liability company registered with the Texas secretary of state under file number 803583736.

Application

2. On March 15, 2021, United Commercial Telecom applied for an SPCOA to provide data only — facilities-based and resale telecommunications services in the service territories of AT&T Texas fka Southwestern Bell Telephone Company, certificate of operating authority (COA) number 50038, and Frontier Southwest Incorporated fka Verizon Southwest, COA number 50039.
3. United Commercial Telecom supplemented the application on March 31 and April 30, 2021.
4. On May 26, 2021, United Commercial Telecom amended its application. United Commercial Telecom’s application, as amended, requests an SPCOA to provide facilities-based, data, and resale telecommunications services.
5. On June 2, 2021, United Commercial Telecom clarified that it is requesting to provide SPCOA services within incumbent local exchange companies’ (ILEC) service territories.
6. United Commercial Telecom further supplemented the amended application on October 5 and 26, 2021.

7. United Commercial Telecom submitted its application, as amended, in a Commission-approved format, verified by oath or affirmation, and signed by Mark Schuh, managing member of United Commercial Telecom.
8. In Order No. 4 filed on June 28, 2021, the administrative law judge (ALJ) found the application, as amended and supplemented, administratively complete.

Notice

9. United Commercial Telecom represents that it provided one copy of its application to the Texas Commission on State Emergency Communications within five days of submitting its application to the Commission.

Eligibility

10. United Commercial Telecom is not a municipality.
11. Neither United Commercial Telecom, nor its owners or affiliates, hold a COA or certificate of convenience and necessity for the territory covered by this application.
12. United Commercial Telecom had zero intrastate switched access minutes of use as measured for the 12-month period preceding the filing of this application.

Financial Qualifications

13. United Commercial Telecom provided unaudited financial statements of its parent company for the most recent quarter, supported by affidavit, demonstrating that the company's shareholder equity meets the requirements of 16 Texas Administrative Code (TAC) § 26.111(f).

Compliance History

14. Neither United Commercial Telecom, nor any of its officers or principals, have any previous or ongoing investigations, nor have they been assessed any penalties in the 60 months immediately preceding the filing of the application.
15. United Commercial Telecom does not have a history of insolvency, bankruptcy, dissolution, merger, or acquisition in the 60 months preceding this application.
16. Neither United Commercial Telecom, nor any of its officers or principals, are currently under investigation or facing a penalty by the attorney general or any state or federal

regulatory authority for violation of any securities, deceptive trade, or consumer protection laws or regulations.

17. Neither United Commercial Telecom's executive officers nor its principals have a history of violations of rules or misconduct such that granting this application would be inconsistent with the public interest.

Technical Qualifications

18. United Commercial Telecom has principals, consultants, or permanent employees in managerial positions whose combined experience in the telecommunications industry exceeds five years.

Service Quality

19. United Commercial Telecom affirmed that it will meet the Commission's applicable service quality and customer protection standards.

Complaint History

20. The Commission database did not reveal any ongoing investigations against United Commercial Telecom.
21. The Commission database did not reveal any penalties assessed to United Commercial Telecom.

Requested Name

22. The name United Commercial Telecom, LLC is not deceptive, misleading, inappropriate, confusing, or duplicative.

Informal Disposition

23. More than 15 days have passed since the completion of notice provided in this docket.
24. No person filed a protest or motion to intervene.
25. United Commercial Telecom and Commission Staff are the only parties to this proceeding.
26. No party requested a hearing and no hearing is needed.
27. Commission Staff recommended approval of the application, as supplemented.
28. This decision is not adverse to any party.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority over the application under PURA¹ §§ 54.152 through 54.155.
2. The application complies with PURA § 54.154(b) and 16 TAC § 26.111(d).
3. United Commercial Telecom is eligible to obtain a certificate under PURA § 54.153 and 16 TAC § 26.111(c).
4. United Commercial Telecom has met the requirements of PURA §§ 54.154(b) and 54.155(b) and 16 TAC § 26.111 for issuance of an SPCOA.
5. United Commercial Telecom provided notice of the application in satisfaction of 16 TAC § 22.55.
6. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission issues SPCOA number 61028 in the name of United Commercial Telecom, LLC to provide facilities-based, data, and resale telecommunications services within ILEC service territories.
2. United Commercial Telecom may cease operation under this SPCOA only if the Commission authorizes it to cease providing service.
3. United Commercial Telecom may only provide service under the name United Commercial Telecom, LLC.
4. United Commercial Telecom must file notice in Project No. 52742, *Service Provider Certificate of Operating Authority Compliance Docket*, within 30 days of the provision of local exchange telephone service, basic local telecommunications service, or switched

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

access service, of the type and in the manner it represented it would in its amended and supplemented application.

5. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

Signed at Austin, Texas the 8th day of November 2021.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in blue ink, appearing to read "Isaac TA", is written over a horizontal line.

**ISAAC TA
ADMINISTRATIVE LAW JUDGE**