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DOCKET NO. 38574

**APPLICATION OF TEL-ALL § PUBLIC UTILITY COMMISSION
TELECOM, INC. FOR A SERVICE §
PROVIDER CERTIFICATE OF § OF TEXAS
OPERATING AUTHORITY §**

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**COMMISSION STAFF'S COMMENTS ON ELIGIBILITY
OF APPLICATION**

The Staff (Staff) of the Public Utility Commission of Texas (Commission) files these comments on eligibility regarding the August 18, 2010, filing by Tell-All Telecom (Applicant) applying under § 54.151 of the Public Utility Regulatory Act¹ for approval of a Service Provider Certificate of Operating Authority (SPCOA) to provide data, facilities-based and resale-only telecommunications services within the entire state of Texas. This recommendation does not address the merits of the application; such a recommendation will be filed according to the procedural schedule set forth in Order No. 1.

PURA/Substantive Rule Requirements

Public Utility Regulatory Act § 54.153 governs whether an applicant is eligible to obtain an SPCOA. Staff reviewed Applicant's application in light of § 54.153 and finds that Applicant, together with its affiliates, has less than six percent of the total intrastate switched access minutes of use (1.6 billion) for the most recent twelve-month period preceding the filing of its application for which data was available. Therefore, Staff finds that the Applicant is eligible to obtain an SPCOA.

¹ Public Utility Regulatory Act, TEX. UTIL. CODE ANN. §§ 11.001 – 66.017 (Vernon 2007 & Supp. 2008) (PURA).

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Staff respectfully requests that an order be issued consistent with this recommendation.

Date: August 30, 2010

Respectfully Submitted,

Thomas S. Hunter
Division Director-Legal Division

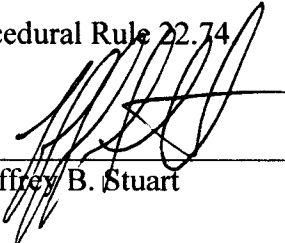
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on August 30, 2010, in accordance with P.U.C. Procedural Rule 22.74.



Jeffrey B. Stuart