STATE OF SOUTH CAROLINA)
)

(Caption of Case)

Application of FRC, LLC for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Exchange Access Services throughout the State of South Carolina and Request for flexible Regulation

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2008 - 49 - C

(Please type or print)

Submitted by: Sue-Ann Gerald Shannon

Address: McNair Law Firm, P.A.
P O Box 11390
Columbia, SC 29211

SC Bar Number: 71181
Telephone: 803-799-9800
Fax: 803-753-3219
Other:

Email: sshannon@mcnair.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition**

☐ **Request for item to be placed on Commission's Agenda expeditiously**

☒ **Other:**

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
☐ Electric	☐ Affidavit	☒ Letter	☐ Request
☐ Electric/Gas	☐ Agreement	☐ Memorandum	☐ Request for Certification
☐ Electric/Telecommunications	☐ Answer	☐ Motion	☐ Request for Investigation
☐ Electric/Water	☐ Appellate Review	☐ Objection	☐ Resale Agreement
☐ Electric/Water/Telecom.	☐ Application	☐ Petition	☐ Resale Amendment
☐ Electric/Water/Sewer	☐ Brief	☐ Petition for Reconsideration	☐ Reservation Letter
☐ Gas	☐ Certificate	☐ Petition for Rulemaking	☐ Response
☐ Railroad	☐ Comments	☐ Petition for Rule to Show Cause	☐ Response to Discovery
☐ Sewer	☐ Complaint	☐ Petition to Intervene	☐ Return to Petition
☒ Telecommunications	☐ Consent Order	☐ Petition to Intervene Out of Time	☐ Stipulation
☐ Transportation	☐ Discovery	☐ Prefiled Testimony	☐ Subpoena
☐ Water	☐ Exhibit	☐ Promotion	☐ Tariff
☐ Water/Sewer	☐ Expedited Consideration	☐ Proposed Oder	☐ Other:
☐ Administrative Matter	☐ Interconnection Agreement	☐ Protest	
☐ Other:	☐ Interconnection Amendment	☒ Publisher's Affidavit	
	☐ Late-Filed Exhibit	☐ Report	

Print Form Reset Form

MCNAIR LAW FIRM, P.A.

ATTORNEYS AND COUNSELORS AT LAW

www.mcnair.net

SUE-ANN GERALD SHANNON
sshannon@mcnair.net

THE TOWER AT 1301 GERVAIS
1301 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201

POST OFFICE BOX 11390
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803)799-9800
FACSIMILE (803) 753-3219

March 13, 2008

***via* HAND DELIVERY and E-FILING**

The Honorable Charles L.A. Terreni
Chief Clerk/Administrator
South Carolina Public Service Commission
Synergy Business Park, The Saluda Building
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

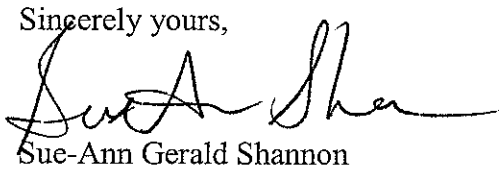
RE: Application of FRC, LLC, for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Exchange Access Services throughout the State of South Carolina and Request for Flexible Regulation
Docket No. 2008-49-C

Dear Mr. Terreni:

Please find enclosed for filing original Affidavits regarding publication of the Notice of Filing and Hearing in the above-referenced matter on behalf of the following newspapers of general circulation: The Greenville News, The (Greenwood) Index-Journal, The (Columbia) State, The (Charleston) Post and Courier, and the (Myrtle Beach) Sun News. Notice was also published in The Charlotte Observer, as shown by the attached publication notice, but attempts to obtain an affidavit have so far been unsuccessful. We will forward the original proof and affidavit once received.

I would appreciate your returning a clocked copy of this filing with our courier. If you have any questions or need further information, please do not hesitate to contact me.

Sincerely yours,



Sue-Ann Gerald Shannon

Enclosures

cc: Shannon Bowyer Hudson, Esq., Office of Regulatory Staff
(*via* hand delivery)

The Greenville News

greenvilleonline.com

Classified Advertising

Date: 2/26/2008

Name: / MCNAIR LAW OFFICES-COLUMBIA
1301 GERVAIS ST COLUMBIA SC 29201

Ad No: 4219571 **Class:** 0008 Legal Notices (News) **Rate:** Legal Rates

Runs:

Tuesday, February 26, 2008 **Lines:** 128

AFFIDAVIT

I, Susan F. Mullinax, being the Legal Advertising Agent for ***The Greenville News***, do hereby testify that the attached legal ad was published on 128 lines as set forth above, in The Greenville News beginning on 2/26/2008 and ending on 2/26/2008

Susan Mullinax
Susan F. Mullinax
Legal Advertising Agent

Vanassa M. McElveen
Vanassa M. McElveen
Notary Public for the State of South Carolina
My Commission Expires December 1, 2008

Post Office Box 1688 * Greenville, SC 29602
Phone: 864.298.4100

GANNETT

305 South Main Street * Greenville, SC 29601
Toll Free: 1.800.800.5116

Ad Text:

</684>4219571 □
PUBLIC SERVICE<QC>
COMMISSION OF<qC>
SOUTH CAROLINA<qC>
</684>DOCKETING DEPARTMENT<qC>
</676>NOTICE OF FILING<qC>
□

AND HEARING<qC>
□

</684>DOCKET NO. 2008-49-C<qC>
FRC, LLC ("FRC" or "Appli′ cant") has filed with the Public Service Commission of South Carolina ("Commission") an Application for a Certificate of Public Convenience and Neces′ sity pursuant to S.C. Code Ann. 58-9-280 of the Telecommunica′ tions Act of 1996, to provide lo′ cal exchange and exchange access services to residential and business customers throughout the State of South Carolina. In addition, the Appli′ cant requests flexible rate structure of its local telecom′ munications services pursuant to Order No. 98-165 in Docket No. 97-467-C. FRC is made up of two members, PalmettoNet, Inc. and SCANA Communica′ tions, Inc., both of which are certified to provide telecommu′ nications services within the State of South Carolina. In ad′ dition, FRC is authorized by Order No. 2006-469 to provide intrastate telecommunications services as a "carrier's carrier" throughout the State of South Carolina. □
A copy of the Application is on file in the offices of the Com′ mission, 101 Executive Center Drive, Columbia, South Caroli′ na 29210, the Commission's website at www.psc.sc.gov, and is available from Sue-Ann Ger′ ald Shannon, Esquire, McNair Law Firm, P.A., P.O. Box 11390, Columbia, South Carolina 29111. □
PLEASE TAKE NOTICE that a hearing on the above matter has been scheduled to begin at 10:00 a.m. on Monday, May 5, 2008, before Hearing Examiner David Butler, Esquire in the Commission's Law Library at 101 Executive Center Drive, Sa′ luda Building, Columbia, South Carolina 29210. □

LEGAL ADVERTISING ORDER AND AFFIDAVIT

DATE RECEIVED 2/26/08 TIMES TO RUN 3 AMOUNT CHARGED 146.82

CHARGE McNair Law Firm, P.A., PO Box 11390, Columbia SC 29211

IDENTIFICATION Notice of Filing and Hearing – Docket No.:2008-49-C

Client Matter No. 028825.00003

DATES TO RUN 3 (3) 2008

COPY

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
DOCKETING DEPARTMENT
NOTICE OF FILING AND HEARING
DOCKET NO.:2008-49-C

FRC, LLC ("FRC" or "Applicant") has filed with the Public Service Commission of South Carolina ("Commission") an Application for a Certificate of Public Convenience and Necessity pursuant to S.C. Code Ann. § 58-9-280 of the Telecommunications Act of 1996 to provide local exchange and exchange access services to residential and business customers throughout the State of South Carolina. In addition, the Applicant requests resale status of its local telecommunications services pursuant to Order No. 98-165 in Docket No. 97-467-C. FRC is made up of two members, Palmetto Net, Inc. and SCANA Communications, Inc. both of which are certified to provide telecommunications services within the State of South Carolina. In addition, FRC is authorized by Order No. 2006-469 to provide intrastate telecommunications services as a carrier's carrier throughout the State of South Carolina.

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PLEASE BE ADVISED that pursuant to South Carolina Code of Laws - Section 58-9-280, as amended, the Commission will invoke the 120-day period allowed for consideration of this matter.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before March 24, 2008, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2008-49-C.

Any person who wishes to testify and present evidence at the hearing should notify the Docketing Department in writing at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211, and Sue Ann Gerald Shannon, Esquire, at the above address on or before March 24, 2008 and indicate the amount of time required for his presentation. Please refer to Docket No. 2008-49-C.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer 11649
Columbia, South Carolina 29211
FEB 20-08
3/3/08

L-164

COUNTY OF GREENWOOD

Before me: A Notary Public in and for the State and County aforesaid personally appeared Linda J. Moore

who having been duly sworn, deposes and says that he/she is Legal Clerk of The Index-Journal,

a newspaper published in Greenwood County, South Carolina, and that the attached notice appeared in its issues of

March (3) 2008

Signature Linda J. Moore

SWORN TO and subscribed before me this 3rd Day of March 2008

Patricia P Gunnells

NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires 8/3/2009

"Errors - The liability of the publisher on account of errors in or omissions from any advertisement will in now way exceed the amount of the charge for the space occupied by the item on error, and then only for the first incorrect insertion."

THE STATE-RECORD CO., INC.
Columbia, South Carolina
publisher of
The State

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

Personally appeared before me, Peggy Lawrence, Advertising Sales Support Manager of THE STATE, and makes oath that the advertisement,

Notice of Filing and Hearing – Docket 2008-49 C – FRC LLC

was inserted in THE STATE, a daily newspaper of general circulation for the State of South Carolina published in the City of Columbia, State and County aforesaid, in the issues of

March 3, 2008

Peggy Lawrence

Subscribed and sworn to before me

on this day March 3, 2008

Evelyn F Harrison Notary Public

My commission expires
March 10, 2013

"Errors- the liability of the publisher on account of errors in or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA DOCKETING DEPARTMENT

NOTICE OF FILING AND HEARING

DOCKET NO. 2008-49-C

FRC, LLC ("FRC" or "Applicant") has filed with the Public Service Commission of South Carolina ("Commission") an Application for a Certificate of Public Convenience and Necessity pursuant to S.C. Code Ann. § 58-9-280 of the Telecommunications Act of 1996, to provide local exchange and exchange access services to residential and business customers throughout the State of South Carolina. In addition, the Applicant requests flexible rate structure on its local telecommunications services pursuant to Order No. 98-165 in Docket No. 97-467-C. FRC is made up of two members, PalmettoNet, Inc. and SCANA Communications, Inc., both of which are certified to provide telecommunications services within the State of South Carolina. In addition, FRC is authorized by Order No. 2006-469 to provide intrastate telecommunications services as a "carrier's carrier" throughout the State of South Carolina.

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Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer

POLICE OFFICE

MCNAIR LAW FIRM/COLUMBIA
PO BOX 11390
Columbia SC 29211

Number of Copies: 1

AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising Clerk of the above indicated newspaper published in the City of Charleston, County and State aforesaid, who, being duly sworn, says that the advertisement of

(Copy attached)

appeared in the issues of said newspaper on the following day(s):

03/03/2008

at a cost of **$ 275.16**
Account# **C0516950**
Order# **C221CTDB**
P.O. Number:

Subscribed and sworn to before me this 6th day of March A.D. 2008

Keisha Edings
Advertising Clerk

SHELLY DUBERRY NOTARY PUBLIC SOUTH CAROLINA My Comm. Exp. 10-10-2013

Shelly Duberry
NOTARY PUBLIC, SC
My Commission expires

Form 3020

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKETING DEPARTMENT

NOTICE OF FILING AND HEARING

DOCKET NO. 2008-49-C

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YSL

SUN PUBLISHING COMPANY, INC.

PO BOX 406 • MYRTLE BEACH, SC 29578-0406

McNair Law Firm, PA
Attn: Sue-Ann G. Shannon
1301 Gervais Street
Columbia, SC 29211

March 5, 2008

NEWSPAPER	DATE(S) OF PUBLICATION
The Sun News	March 3, 2008

AFFIDAVIT OF PUBLICATION: State of South Carolina
County of Horry

Before me, Pamela J. Browning, a Notary Public personally appeared who, after being duly sworn, deposes and says: That she is publisher of the Sun Publishing Company, Inc., at Myrtle Beach, South Carolina. In the county and state aforesaid: that the above ad(s) was (were) printed and published in said newspaper, on said date(s).

PJ Browning
Pamela J. Browning

Sworn to and subscribed before me this 5th day of March 2008.

Dana Doyle
Notary Public

My Commission Expires July 24, 2016.

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKETING DEPARTMENT
NOTICE OF FILING
AND HEARING
DOCKET NO. 2008-49-C

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Continued from previous columns

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Continued in next column

Continued from previous column

Docket No. 2008-49-C.

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Public Service
Commission of South
Carolina
Attn:
Docketing Department
Post Office Drawer 11649
Columbia, SC 29211

1662116

The Charlotte Observer Publishing Co.
Charlotte, NC
Affidavit of Publication

North Carolina) ss
Mecklenburg County)

THE CHARLOTTE OBSERVER

MCNAIR LAW FIRM, P.A.
PO BOX 11390
COLUMBIA SC 29211

REFERENCE: 20070969
6138911 frc docket #2008-49c

Before the undersigned, a Notary Public of said County and State, duly authorized to administer oaths affirmations, etc., personally appeared, being duly sworn or affirmed according to law, doth depose and say that he/she is a representative of The Charlotte Observer Publishing Company, a corporation organized and doing business under the laws of the State of Delaware, and publishing a newspaper known as The Charlotte Observer in the city of Charlotte, County of Mecklenburg, and State of North Carolina and that as such he/she is familiar with the books, records, files, and business of said Corporation and by reference to the files of said publication, the attached advertisement was inserted. The following is correctly copied from the books and files of the aforesaid Corporation and Publication.

PUBLISHED ON: 03/03

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
DOCKETING DEPARTMENT
NOTICE OF FILING AND HEARING
DOCKET NO. 2008-49-C

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Persons seeking information about the Commissions Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer (11849)
Columbia, South Carolina 29211

LP6138911

AD SPACE: 140 LINE
FILED ON: 03/10/08

NAME: Valerie Robinson TITLE: Accounting Clerk
DATE: MAR 12 2008

In Testimony Whereof I have hereunto set my hand and affixed my seal, the day and year aforesaid.

Notary: _____ My Commission Expires: __/__/__

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO.2008-49-C

IN RE:

Application of FRC, LLC, for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Exchange Access Services throughout the State of South Carolina and Request for Flexible Regulation	)))))	**CERTIFICATE OF SERVICE**

This is to certify that I, Betty B. Wheeler, have this date served one (1) copy of the above referenced Publishers' Affidavits to the person named below by causing said copies to be **hand-delivered** and addressed as shown:

Shannon Bowyer Hudson, Esquire
Office of Regulatory Staff
1441 Main Street
Suite 300
Columbia, SC 29201

Betty B. Wheeler

Betty B. Wheeler

March 13, 2008

Columbia, South Carolina