

Public Utility Commission of Texas

Memorandum

To: CTPs in the State of Texas

From: Hayden Childs, Telecommunications Division

Re: Adequate Proof Agreements

Date: June 10, 2003

The purpose of this correspondence is to provide a reminder to certificated telecommunications providers (CTPs), whether reselling or underlying, of their obligations pursuant to P.U.C. SUBST. R. §26.467(k)(4). Specifically, each underlying CTP and reselling CTP must obtain or provide an adequate proof document in the form of a written agreement that specifically cites, and assigns responsibility for compliance with, the Texas Local Government Code, Chapter 283, and the reporting and compensation requirements of Subchapter R of the P.U.C. Substantive Rules. Failure to comply is a violation of Commission rules and will likely result in an enforcement action against any non-compliant CTP. The attached document is an example of a notice of violation (NOV) that may be used in such an enforcement action. Again, this correspondence is intended as a reminder. If your company has complied with the adequate proof filing, then please disregard this letter.

Please feel free to contact me at (512) 936-7390 or hayden.childs@puc.state.tx.us if you have any questions.