



# PUBLIC NOTICE

**Federal Communications Commission**  
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**Washington, D.C. 20554**

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**DA 00-2617**  
**December 1, 2000**

**Advanced Technologies Development Corp., Fiber Venture Equity, Inc. and  
FirstEnergy Telecommunications Corp. Seek Commission Determination of  
"Exempt Telecommunications Company" Status Under the Public Utility  
Holding Company Act**

**Advanced Technologies Development Corp. –NSD File No: ETC 00-40**  
**Fiber Venture Equity, Inc. –NSD File No: ETC 00-42**  
**FirstEnergy Telecommunications Corp. –NSD File No: ETC 00-43**

**Pleading Cycle Established**

**Comments Due: December 8, 2000**  
**Reply Comments Due: December 15, 2000**

On October 25, 2000, Advanced Technologies Development Corp., Fiber Venture Equity, Inc. and FirstEnergy Telecommunications Corp. ("Applicants"), pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935 ("PUHCA"), as added by section 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed a joint application requesting a Commission determination that each is an exempt telecommunications company ("ETC").

The application states that all applicants will be engaged (as defined in PUHCA section 2(a)(11)(B)) directly, or indirectly through one or more affiliates, and exclusively, in the business of providing (a) telecommunications services, (b) information services, (c) other services or products subject to the jurisdiction of the Federal Communications Commission, or (d) products or services that are related or incidental to the provision of a product or service described in paragraphs (a) through (c) above.

The application states that FirstEnergy Corp., headquartered in Akron, Ohio, was formed as the result of the merger of Ohio Edison Company and Centerior Energy Corp. FirstEnergy's principal business is the holding, directly or indirectly, of all the outstanding common stock of its four principal electric utility operating subsidiaries: Ohio Edison Company, The Cleveland Electric Illuminating Company, Pennsylvania Power Company and The Toledo Edison Company. Three affiliates of Centerior Energy Corporation – Centerior Telecom Company, Centerior Holdings, Inc. and Centerior PCS Cleveland, Inc. – were granted ETC status on July 2, 1997, in File No. ETC-97-6, and are now affiliated with FirstEnergy Corp. as a result of the merger

described above. Since the merger, the names of certain affiliates were changed as part of the overall corporate restructuring of FirstEnergy Corp. Centerior Telecom Company is now named Advanced Technologies Development Corp., and Centerior PCS Cleveland, Inc. is now Fiber Venture Equity, Inc.

The application states that Advanced Technologies Development Corp. ("ATDC") will offer telecommunications services that are not regulated by the State of Ohio. It will lease facilities to FirstEnergy Telecommunications Corp. and other affiliates, will provide private network services to FirstEnergy companies, and will hold existing indefeasible rights of use (IRUs) for dark fiber capital leases. Additionally, ATDC will offer cell site leases, and undertake construction projects associated with telecommunications activities.

The application states that Fiber Venture Equity, Inc. ("FVE") requests ETC status under its new name and new ETC-permitted activities. FVE obtains access to communications facilities and other assets from ATDC and passes them to America's Fiber Network ("AFN"), a high-speed fiber optics company, which was formed by several entities that included FVE. AFN then compensates FVE with equity. The application also states that AFN equity is held by FVE for FirstEnergy Corp. FVE and that it, therefore, will not engage in communications operations directly, but will instead hold the assets and equity of other communications companies.

The application states that FirstEnergy Telecommunications Corp. ("FETC") is a new company formed in Ohio. It will offer competitive telecommunications services in Ohio as a public utility in Ohio. FETC will provide competitive access services and wholesale services to competitive local exchange carriers (CLECs), competitive access providers (CAPs), and Internet service providers (ISPs). The services offered by FETC, however, will not include dial tone services; it will simply pickup data traffic. Further, the application states that FETC will not own facilities, but rather lease them from ATDC and other companies.

In accordance with 47 C.F.R. section 1.5004, if the Commission does not issue an order denying an ETC application within 60 days of receipt of the application, in this case, December 24, 2000, the application will be deemed granted as a matter of law. In accordance with 47 C.F.R. section 1.5003, a person applying in good faith for a Commission determination of ETC status is deemed to be an ETC from the date of receipt of the application, in this case, December 24, 2000, until the date of Commission action pursuant to 47 C.F.R. section 1.5004. In accord with 47 C.F.R. section 1.5005, the Secretary of the Commission is now notifying the Securities and Exchange Commission (SEC) that each Applicant is deemed to be exempt telecommunications company. In the event that the Commission issues an order within 60 days of receipt of the application denying the application, the Secretary will so notify the SEC. Otherwise, the Commission will take no further action to grant this application.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. sections 1.1200 - 1.1206. Persons wishing to file comments, regarding the adequacy or accuracy of the Applicants' application requesting status as an ETC, must do so no later than **December 8, 2000**. All comments should also be served on the Applicants. Reply comments must be filed no later than **December 15, 2000**.

Interested parties should file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, 445 Twelfth St., SW, Room TW-A325, Washington, D.C. 20554. In addition, parties should send one copy to ITS, at 1231 20th Street,

NW, Washington, D.C. 20036 and two copies to Al McCloud, Common Carrier Bureau, Network Services Division, FCC, 445 12th Street, SW, Room 6-A320, Washington, D.C. 20554.

All filings concerning any of the matters referenced in this Public Notice should refer to the NSD file number assigned: **Advanced Technologies Development Corp, ETC 00-40; Fiber Venture Equity, Inc., ETC 00-42 and FirstEnergy Telecommunications Corp, ETC 00-43.**

The full text of this document is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> Street, SW, Room CY-A257, Washington, DC 20554. This document may also be purchased from the Commission's copy contractor, International Transcription Service, Inc. (ITS), 1231 20<sup>TH</sup> Street, NW, Washington, DC 20036, telephone 202-857-3800, facsimile 202-857-3805, TTY 202-293-8810.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [cweather@fcc.gov](mailto:cweather@fcc.gov) Marty Schwimmer, (202) 418-2320 (voice), [mschwimm@fcc.gov](mailto:mschwimm@fcc.gov), of the Network Services Division, Common Carrier Bureau. The TTY number is (202) 418-0484. You may also find more information about Exempt Telecommunications Companies at our website: <http://www.fcc.gov/ccb/nsd/documents/ETC.html>.

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