



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12th St., S.W.**  
**Washington, D.C. 20554**

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**DA 01-243**  
**February 1, 2001**

**DT SERVICES, INC. Seeks Commission Determination of "Exempt  
Telecommunications Company" Status Under the Public Utility Holding  
Company Act**

**NSD File No: ETC 00-53**  
**Pleading Cycle Established**

**Comments Due: February 9, 2001    Reply Comments Due: February 16, 2001**

On December 22, 2000, DT Services, Inc. ("DTSI"), 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 an application requesting a Commission determination that it is an exempt telecommunications company ("ETC").

The application states that DTSI, a Virginia corporation, will be a wholly-owned subsidiary of Dominion Resources, Inc. ("Dominion"). Dominion is a registered holding company under the 1935 Act.

The application states that DTSI will be engaged directly or indirectly through one or more "affiliates" (as defined in PUCHA Section 2 (a)(11)(B), exclusively in the business of providing telecommunications services, information services, other services or products that are related or incidental to the provision of such products or services within the meaning of PUCHA Section 34(a)(1).

The application states that DTSI will own, through one or more intervening entities, an interest in Dominion Telecom, Inc. ("DTI"). Specifically, DTSI will initially be the sole member in a limited liability company (the "LLC") formed exclusively to hold and raise capital for DTI. Subsequently, third-party investors may make contributions to the LLC. However, at no time will DTSI have less than a ten percent membership interest in the LLC. In addition, DTSI employees will eventually perform management and telecommunications operations functions for DTI under an exclusive lease agreement.

The application states that DTI, which was formerly known as VPS Communications, Inc. ("VPSC"), was granted ETC status as a matter of law, pursuant to its December 15, 1999 application for ETC status, File No. ETC 99-07. DTI engages directly in the business of providing local exchange and interexchange service. DTI is certificated by the State Corporation

Commission of Virginia to provide local exchange and intrastate interexchange services in the Commonwealth of Virginia, and it provides interexchange services to wholesale customers. On August 28, 2000, VPSC notified the Commission that, pursuant to an order granting approval issued by the State Corporation Commission of Virginia, VPSC had become a direct and wholly-owned subsidiary of Dominion and that it had subsequently changed its name to "Dominion Telecom, Inc."

The application states that activities described in this application will be conducted in accordance with the requirements of the Communications Act of 1934, as amended, and the applicable rules and regulations of the Commission. In the future, DTSI, either directly or through affiliates, may provide other telecommunications services and products as permitted pursuant to section 34(a) of the 1935 Act. Such activities likewise will be conducted in a manner consistent with the Communications Act of 1934, applicable Commission rules and regulations, and other applicable legal requirements.

The application states DTSI will be an "associate company," within the meaning of section 2(a)(10) of the 1935 Act, of the following electric utility operating company: Virginia Electric and Power Company. DTSI will conduct all activities described herein in conformance with section 34(b) of the 1935 Act as amended by section 103 of the Telecommunications Act of 1996; all other applicable provisions of the 1935 Act; and all other applicable laws and regulations.

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 by February 20, 2001, 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 from December 22, 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 the Applicant is deemed to be an 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 **February 9, 2001**. All comments should also be served on the Applicants. Reply comments must be filed no later than **February 16, 2001**.

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 Carmell Weathers, 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 NSD file number, **ETC 00-53**.

The application will be 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. The application 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) or 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 the NSD website: <http://www.fcc.gov/ccb/nsd/documents/ETC.html>.

**-FEDERAL COMMUNICATIONS COMMISSION-**