

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for name change) DOCKET NO. 931179-TI
on Interexchange) ORDER NO. PSC-94-0870-FOF-TI
Telecommunications Certificates) ISSUED: July 18, 1994
No. 1528 from METROMEDIA)
COMMUNICATIONS CORPORATION TO)
LDDS COMMUNICATIONS, INC. d/b/a)
LDDSMETROMEDIA COMMUNICATIONS,)
and cancellation of)
Interexchange Telecommunications)
Certificates Nos. 1501 issued to)
TMC OF SOUTHWEST FLORIDA, INC.,)
1526 issued to TELEMARKETING)
CORPORATION OF LOUISIANA d/b/a)
LDDS COMMUNICATIONS, 1645 issued)
to TELE-FIBER NETWORK)
CORPORATION 2223 issued to)
ADVANCED NETWORK SYSTEMS, INC.,)
and 2291 issued to TFN MARKETING)
COMPANY, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER ACKNOWLEDGING CHANGE IN NAME AND

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF CONTROL AND
CANCELLATION OF IXC CERTIFICATES AND TARIFFS

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that, except for the indicated name change in section I, the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

00000000000000000000
07132 JUL 1994
00000000000000000000

I. NAME CHANGE.

By letter dated December 22, 1993, Metromedia Communications Corporation requested that its Certificate No. 1528 be amended to reflect its new name, LDDS Communications, Inc. d/b/a LDDSMetromedia Communications (LDDS). Upon review of the Department of State, Division of Corporation's records, it appears that the new name has properly been registered. Accordingly, we find it appropriate to amend Certificate No. 1528 to reflect the new operating name.

II. APPROVAL OF TRANSFER OF CONTROL AND CANCELLATION OF IXC CERTIFICATES AND TARIFFS.

Along with the above proposed name change, Metromedia Communications Corporation petitioned for approval of a merger transaction and cancellation of some of its subsidiary companies' certificates. LDDS planned this consolidation to realize significant economic, marketing and administrative efficiencies. This intracorporate family merger will streamline operations of the involved companies and the increased efficiency is in the public interest. Customers of LDDS and LDDS's subsidiaries will continue to receive the same quality of service presently rendered to them.

Thus, the Commission hereby approves the merger of LDDS Communications, Inc. d/b/a LDDSMetromedia Communications with the following four of its Florida certificated operating subsidiaries and cancellation of their respective Certificates and tariffs:

- Certificate No. 1501: TMC of Southwest Florida, Inc.;
- Certificate No. 1526: Telamarketing Corporation of Louisiana d/b/a LDDS Communications;
- Certificate No. 1645: Tele-Fiber Network Corporation; and
- Certificate No. 2291: TFN Marketing Company, Inc.

The resulting company will operate under the name LDDSMetromedia Communications pursuant to certificate 1528 and the corresponding tariff. LDDS will also continue to provide services in Florida through it's remaining subsidiaries:

- Certificate No. 43: Transcall America, Inc. d/b/a ATC Long Distance;
- Certificate No. 87: Microtel, Inc.; and

Certificate No. 2363: Touch 1 Long Distance, Inc.

Presently, none of the names nor the terms and conditions of services offered by these companies will be affected by the transaction. Each certificated subsidiary will continue to operate under it's individual tariff on file with this Commission.

LDDS Communications, Inc.'s has also requested cancellation of it's subsidiary, Advanced Network Systems, Inc. d/b/a ANS, Inc. Certificate No. 2223 and tariff. Since no customers will be affected by this cancellation, it is also hereby approved.

Merger with its subsidiaries and cancellation of the above listed certificates and tariffs should not cause any inconvenience or confusion to LDDS's customers. Customers of the subsidiaries will continue to receive services under LDDS's tariff and will be notified of any changes in a timely matter.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request in section I of this order by Metromedia Communications Corporation to change the name on Certificate No. 1528 from Metromedia Communications Corporation to LDDS Communications, Inc. d/b/a LDDSMetromedia Communications is approved. It is further

ORDERED that the name change in section I shall be effective ten (10) days from the date of this Order. It is further

ORDERED by the Florida Public Service Commission that the proposed merger of LDDSMetromedia Communications with TMC of Southwest Florida, Inc., Telamarketing Corporation of Louisiana d/b/a LDDS Communications, Tele-Fiber Network Corporation and TFN Marketing Company, Inc. is hereby approved along with cancellation of the respective certificates nos. 1501, 1526, 1645, and 2291 and tariffs as outlined in section II of the body of this Order. It is further

ORDERED that TMC of Southwest Florida, Inc., Telamarketing Corporation of Louisiana d/b/a LDDS Communications, Tele-Fiber Network Corporation and TFN Marketing Company, Inc., if they have not already done so, are to return their certificates and remit any and all outstanding Regulatory Assessment Fees due the Florida Public Service Commission. It is further

ORDERED that cancellation of Certificate No. 2223 issued to Advanced Network Services, Inc. d/b/a ANS, Inc. and the accompanying tariff is approved. It is further

ORDER NO. PSC-94-0870-FOF-TI
DOCKET NO. 931179-TI
PAGE 4

ORDERED that, unless a person whose interests are substantially affected by the action proposed in section II of this docket files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, the certificate shall become effective on the following date and this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 18th day of July, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

SHS

by: Kay Ferguson
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in section I of this Order may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice

ORDER NO. PSC-94-0870-FOF-TI
DOCKET NO. 931179-TI
PAGE 5

of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

The action proposed in section II of this Order is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 8, 1994.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If section II of this Order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.