

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for transfer of) DOCKET NO. 951101-TI
assets to MIDCOM COMMUNICATIONS,) ORDER NO. PSC-95-1480-FOF-TI
INC. and cancellation of) ISSUED: November 29, 1995
Interexchange Telecommunications)
Certificate No. 3580 by)
COMMUNICATION SERVICE OF)
AMERICA, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF ASSETS
AND CANCELLATION OF CERTIFICATE

BY THE COMMISSION:

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

On September 6, 1995, MIDCOM Communications, Inc. (MIDCOM) and Communication Service of America, Inc. (CSA) jointly requested that this Commission approve MIDCOM's acquisition of the assets of CSA and the cancellation of Certificate No. 3580. As of that date, CSA had only three customers located in Florida. MIDCOM has been billing these customers according to CSA's approved tariff. Upon approval, MIDCOM intends to notify these customers of the acquisition, and begin billing them pursuant to its own tariff.

According to MIDCOM, the acquisition is in the public interest because rates will continue to be "economically attractive and competitive" and the customers will enjoy a greater number of service and billing options.

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Upon consideration of the above, it appears that it is in the public interest to approve the transfer of assets and cancel Certificate No. 3580.

It is, therefore,

ORDERED by the Florida Public Service Commission that the transfer of assets from Communication Service of America, Inc. to MIDCOM Communications, Inc., is approved. It is further

ORDERED that Certificate No. 3580 is canceled. It is further

ORDERED that, unless a person whose interests are substantially affected files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 29th day of November, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

RJP

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.

The action proposed herein 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 20, 1995.

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 this order becomes final and effective on the date described above, any party substantially 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.