

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 960506-TS  
certificate to provide shared ) ORDER NO. PSC-96-0838-FOF-TS  
tenant services by TVMAX ) ISSUED: July 1, 1996  
Telecommunications, Inc. d/b/a )  
OpTel. )  
\_\_\_\_\_)

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 GRANTING CERTIFICATE TO PROVIDE  
STATEWIDE SHARED TENANT SERVICES IN FLORIDA

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 in accordance with Rule 25-22.029, Florida Administrative Code.

TVMAX Telecommunications, Inc. d/b/a OpTel, filed an application for a Certificate of Public Convenience and Necessity to provide statewide shared tenant services in the State of Florida. The application demonstrates sufficient technical, financial, and managerial capabilities as required in Section 364.339, Florida Statutes. Having considered this application, it appears that it is in the public interest to grant, to OpTel, a certificate to provide statewide shared tenant services.

This Order, if it becomes final and effective, will serve as OpTel's certificate and OpTel shall retain this Order as evidence of certification by this Commission. OpTel's certificate, number 4681, to provide statewide shared tenant services in Florida will become effective as provided in the Notice of Further Proceedings or Judicial Review.

DOCUMENT NUMBER-DATE  
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Statewide shared tenant services providers are charged with the responsibility of complying with the provisions of Chapter 364, Florida Statutes, and all rules promulgated pursuant thereto.

This docket will be closed following the expiration of the period specified in the Notice of Further Proceedings or Judicial Review section of this Order unless a petition is filed by one whose substantial interests may or will be affected by this proposed agency action, as provided in Rules 25-22.029 and 25-22.036(7)(a), Florida Administrative Code.

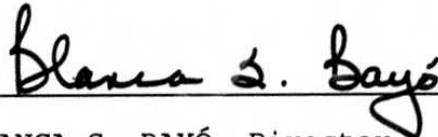
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to TVMAX Telecommunications, Inc. d/b/a OpTel, a certificate to provide statewide shared tenant services in the State of Florida, subject to the conditions stated in the body of this Order. It is further

ORDERED that TVMAX Telecommunications, Inc. d/b/a OpTel shall operate under certificate number 4681. It is further

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

By ORDER of the Florida Public Service Commission, this 1st day of July, 1996.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

MMB

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 July 22, 1996.

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.