

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for name change on Alternative Access Vendor (with Alternative Local Exchange Telecommunications authority) Certificate No. 3172 from Florida Telecommunications Services, Inc. to Comcast Telephony Communications of Florida, Inc.; and name change on Alternative Access Vendor (with Alternative Local Exchange Telecommunications authority) Certificate No. 3118 from MH Lightnet of Florida, Inc. to Comcast MH Telephony Communications of Florida, Inc.; and request for transfer of control of Comcast Corporation from Ralph J. Roberts to Brian L. Roberts.

DOCKET NO. 970718-TA
ORDER NO. PSC-97-1026-FOF-TA
ISSUED: August 26, 1997

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION ORDER
APPROVING TRANSFER OF CONTROL AND
ACKNOWLEDGING NAME CHANGES

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.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

Pursuant to Section 364.33, Florida Statutes, a person may not acquire ownership or control of any telecommunications facility, or any extension thereof for the purpose of providing telecommunications services to the public, including the acquisition, transfer, or assignment of majority organizational control or controlling stock ownership, without prior approval from this Commission.

By letter dated June 10, 1997, Florida Telecommunications Services, Inc. (FTSI), holder of Alternative Access Vendor (with Alternative Local Exchange authority) Certificate Number 3172, MH Lightnet of Florida, Inc. (MH Lightnet), holder of Alternative Access Vendor (with Alternative Local Exchange authority) Certificate Number 3118, and the COMCAST Companies [Comcast Telephony Communications of Florida, Inc. (Comcast Telephony), Comcast MH Telephony Communications of Florida (Comcast MH), and Comcast Corporation (COMCAST)] filed with this Commission a joint petition for approval of transfer of control of Comcast Corporation from Ralph J. Roberts to Brian L. Roberts. The companies also requested name changes on Alternative Access Vendor (with Alternative Local Exchange authority) Certificate Number 3172 from Florida Telecommunications Services, Inc. to Comcast Telephony Communications of Florida, Inc. and Alternative Access Vendor (with Alternative Local Exchange authority) Certificate Number 3118 from MH Lightnet of Florida, Inc. to Comcast MH Telephony Communications of Florida.

The voting control of COMCAST and its subsidiaries is presently through Sural Corporation (Sural). For continuity of management and estate planning purposes, Ralph J. Roberts, the Chairman of COMCAST and the present controlling shareholder of Sural, is transferring one-half of his voting interest in Sural to his son, Brian L. Roberts, the President of COMCAST. Thus, Brian L. Roberts will obtain actual control of Sural, COMCAST, and all its subsidiaries.

We determine that the transfer of control of COMCAST from Ralph J. Roberts to Brian L. Roberts in the public interest and, accordingly, we hereby approve the transfer.

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Upon review of the Department of State, Division of Corporations' records, it appears that FTSI and MH Lightnet have properly registered the new corporate names. Accordingly, we find it appropriate to amend Certificate Number 3172 and Certificate Number 3118 to reflect the new operating names.

This Order will serve as the amended Alternative Access Vendor (with Alternative Local Exchange authority) Certificate Number 3172 for Comcast Telephony, and the amended Alternative Access Vendor (with Alternative Local Exchange authority) Certificate Number 3118 for Comcast MH. Comcast Telephony and Comcast MH should retain this Order as evidence of the name changes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the transfer of control of Comcast Corporation from Ralph J. Roberts to Brian L. Roberts is hereby approved. It is further

ORDERED that the requests to change the names on Certificate Number 3172 from Florida Telecommunications Services, Inc. to Comcast Telephony Communications of Florida, Inc. and Certificate Number 3118 from MH Lightnet of Florida, Inc. to Comcast MH Telephony Communications of Florida are hereby approved. It is further

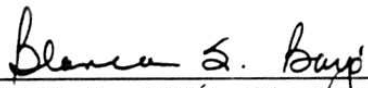
ORDERED that this Order will serve as Comcast Telephony Communications of Florida, Inc. and Comcast MH Telephony Communications of Florida's amended certificate, and that this Order should be retained as evidence of the name changes. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

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ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 26th day of August, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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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 September 16, 1997.

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.