

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request of AMERICAN PIONEER)	DOCKET NO. 890696-TI
TELEPHONE, INC. for approval of stock)	
acquisition by APT ACQUISITION)	ORDER NO. 21945
CORPORATION)	
<hr/>		ISSUED: 9-27-89

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 GERALD L. GUNTER
 JOHN T. HERNDON

NOTICE OF PROPOSED AGENCY ACTION
AND
ORDER APPROVING STOCK ACQUISITION

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 formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

On May 5, 1989, APT Acquisition Corporation (ACC) filed an application seeking authority to acquire all of the issued and outstanding stock of American Pioneer Telephone, Inc. (APTI). APTI holds Certificate No. 1184 and operates a switching center in Orlando with local points-of-presence (POPs) throughout the state for acceptance and delivery of traffic with access services provided by local exchange carriers. APTI utilizes transmission facilities, obtained from various carriers and vendors, to interconnect its switching center and local POPs with other parts of its national network.

After the proposed acquisition, ACC would continue to provide service in accordance with APTI's tariff presently on file with the Commission. ACC would operate APTI as a wholly-owned subsidiary, maintaining APTI's current corporate structure.

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The owners and management of ACC are involved as owners and management in another long distance company, Phone America of Carolina, Inc. (PACI), located in Charlotte, North Carolina. PACI is a certificated interexchange carrier in North and South Carolina with its principal switching center in Charlotte.

Upon review, we conclude that ACC appears to meet all applicable requirements and seems capable of providing intrastate long distance telephone service. Therefore, we approve the acquisition of all issued and outstanding stock of APTI by ACC. The stock acquisition is intended to strengthen APTI's network operations and financial soundness and should enable APTI to offer new services and to expand service coverage as well as to attract new customers for these services with a goal of providing high quality service at a competitive cost. For these reasons, we approve ACC's request to acquire all of the issued and outstanding stock of APTI.

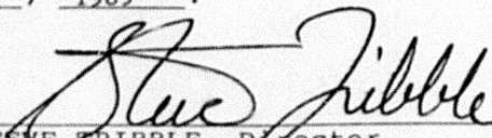
Now therefore it is

ORDERED by the Florida Public Service Commission that the request by APT Acquisition Corporation to acquire all of the issued and outstanding stock of American Pioneer Telephone, Inc., is hereby approved. It is further

ORDERED that the authority granted above shall become effective at the completion of the protest period established below in the event that no proper protest is timely filed. It is further

ORDERED that this docket shall be closed in the event that no protest to this Proposed Agency Action is filed within the time period established below.

By ORDER of the Florida Public Service Commission,
this 27th day of SEPTEMBER, 1989.



STEVE TRIBBLE, Director
Division of Records and Reporting

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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 at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on October 17, 1989.

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, and as reflected in a subsequent order.

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 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 sewer 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

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Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.