

MEMORANDUM

FEBRUARY 23, 1996

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TO: DIVISION OF RECORDS AND REPORTING <sup>1145</sup> FPSC-RECORDS/REPORTING

FROM: DIVISION OF LEGAL SERVICES (BILLMEIER) LMB

RE: DOCKET NO. 941240-TI - Application for certificate to provide interexchange telecommunications service by GTE Telecommunications Services Incorporated.

0286-FOF

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING INTEREXCHANGE TELECOMMUNICATIONS SERVICE, to be issued in the above-referenced docket. (Number of pages in Order - 3)

LMB/anr  
Attachment  
cc: Division of Communications  
I: 941240.LMB

16/2

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 941240-TI  
certificate to provide ) ORDER NO. PSC-96-0280-FOF-TI  
interexchange telecommunications ) ISSUED: February 26, 1996  
service by GTE )  
Telecommunications Services )  
Incorporated. )  
\_\_\_\_\_ )

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  
INTEREXCHANGE TELECOMMUNICATIONS SERVICE

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.

GTE Telecommunications Services Incorporated (GTE-TSI) filed an application for a certificate to provide interexchange telecommunications service. Pursuant to Section 364.337(3), Florida Statutes, requires us to grant a certificate upon a showing that the applicant has sufficient technical, financial, and managerial capability to provide such service. The application contains the required background information and the proposed tariff. Having considered the application, it appears that GTE-TSI has sufficient technical, financial, and managerial capability to provide interexchange telecommunications service. We, therefore, grant Certificate No. 4079 to provide interexchange telecommunications service to GTE-TSI. This Order, if it becomes final and effective, will serve as each GTE-TSI's certificate. GTE-TSI should retain this Order as evidence of certification by this Commission.

DOCUMENT NO.  
02283-96  
2-24-96

ORDER NO. PSC-96-0280-POF-TI  
DOCKET NO. 941240-TI  
PAGE 2

Interexchange telecommunications service providers are charged with the responsibility of complying with the provisions of Chapter 364, Florida Statutes, and Chapters 25-4 and 25-24, Florida Administrative Code. Moreover, pursuant to the provisions of Order No. 16804, interexchange telecommunications service providers are prohibited from constructing facilities to bypass a local exchange company without express prior approval from this Commission.

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 an appropriate 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.

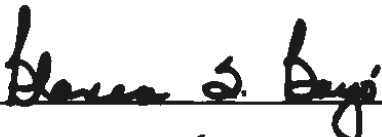
It is therefore,

ORDERED by the Florida Public Service Commission that we hereby grant a certificate to provide interexchange telecommunications service to GTE Telecommunications Services Incorporated subject to the conditions stated in the body of this Order. It is further

ORDERED that GTE Telecommunications Services Incorporated shall operate under Certificate No. 4079. 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 26th day of February, 1996.



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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

LMB

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 March 18, 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.