

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Cancellation by Florida ) DOCKET NO. 961315-TI  
Public Service Commission of ) ORDER NO. PSC-97-0126-FOF-TI  
Interexchange Telecommunications ) ISSUED: February 5, 1997  
Certificate No. 3112 held by TSA )  
Consultants, Inc. d/b/a )  
Telecommunications Services of )  
America for violation of Rule )  
25.24-473, F.A.C., Application )  
for Approval of Assignment or )  
Transfer of Certificate. )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CANCELLING INTEREXCHANGE TELECOMMUNICATIONS 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.

Pursuant to Rule 25-24.473, Florida Administrative Code, every person desiring to obtain a certificate by sale, assignment or transfer from the holder thereof shall submit jointly with the certificate holder an application on form PSC/CMU 31 (11/95) which is incorporated by reference into Rule 25-24.473, Florida Administrative Code.

On August 28, 1995, this Commission was informed of the sale of TSA Consultants, Inc. d/b/a Telecommunications Services of America (TSA), holder of Interexchange Telecommunications Certificate No. 3112. All correspondence from the Commission has failed to elicit a joint application from TSA and its former owner as required by Rule 25-24.473, Florida Administrative Code. Thus,

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the company has failed to comply with this Rule, and we find that it is appropriate to cancel the company's certificate.

Accordingly, the certificate of public convenience and necessity No. 3112, held by TSA, to provide interexchange telecommunications service is hereby cancelled. TSA is hereby directed to return the certificate forthwith to the Commission. The cancellation of this certificate and the closing of this docket in no way diminishes the above entity's obligation to pay applicable delinquent regulatory assessment fees. In addition, we order all certificated Interexchange Telecommunication companies to discontinue providing intrastate long distance service to TSA, pursuant to Rule 25-24.701(3), Florida Administrative Code.

This docket shall be closed following expiration of the period specified in this Order unless an appropriate petition is filed by one whose substantial interest may or will be affected by this proposed agency action, as provided by 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 Interexchange Telecommunications Certificate No. 3112 held by TSA Consultants, Inc. d/b/a Telecommunications Services of America is hereby cancelled for violation of Rule 25-24.473, Florida Administrative Code. It is further

ORDERED that all certificated interexchange telecommunication companies shall discontinue providing interexchange telecommunications service to TSA Consultants, Inc. d/b/a Telecommunications Services of America, pursuant to Rule 25-24.4701(3), Florida Administrative Code. It is further

ORDERED that if no protest is filed within 21 days of the issuance date of the order, the docket shall be closed and the provider's certificate cancelled without further Commission action.

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By ORDER of the Florida Public Service Commission, this 5th  
day of February, 1997.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Flynn  
Chief, Bureau of Records

( 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.

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 February 26, 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.