

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for name change  
on IXC Certificate No. 7255 and  
ALEC Certificate No. 7256 from  
Avana Communications Corporation  
d/b/a AvanaCom to AVANA  
Communications.

DOCKET NO. 000263-TP  
ORDER NO. PSC-01-0034-PAA-TP  
ISSUED: January 8, 2001

The following Commissioners participated in the disposition of  
this matter:

J. TERRY DEASON, Chairman  
E. LEON JACOBS, JR.  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI

NOTICE OF PROPOSED AGENCY ACTION ORDER  
DENYING REQUEST FOR NAME CHANGE

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.

By letter dated February 25, 2000, Avana Communications  
Corporation d/b/a AvanaCom (Avana), holder of Interexchange  
Telecommunications Company (IXC) Certificate No. 7255 and  
Alternative Local Exchange Company (ALEC) Certificate No. 7256,  
requested that both the IXC and ALEC certificates be amended to  
reflect a name change from Avana Communications Corporation d/b/a  
AvanaCom to Avana Communications. Avana has failed to register the  
proposed name change with the Florida Secretary of State, Division  
of Corporations. Further, on August 9, 2000, Commission staff  
informed Avana by letter that if staff did not hear from Avana by  
August 30, 2000, staff would recommend that Avana's request for

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name change be denied. Accordingly, Avana's request for name change is denied.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Avana Communications Corporation d/b/a AvanaCom's request for name change is hereby denied. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, 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" attached hereto. It is further

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

By ORDER of the Florida Public Service Commission this 8th day of January, 2001.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

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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 that is available under Section 120.57, 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 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.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, 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 January 29, 2001.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating 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.