

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation
of ALEC Certificate No. 4724,
IXC Certificate No. 4723, and
Shared Tenant Service
Certificate No. 4725 by Time
Warner Connect, effective
January 30, 2001.

DOCKET NO. 010165-TP
ORDER NO. PSC-01-0903-PAA-TP
ISSUED: April 9, 2001

The following Commissioners participated in the disposition of
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING ALTERNATIVE LOCAL EXCHANGE
TELECOMMUNICATIONS CERTIFICATE AND SHARED
TENANT SERVICES 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.

Time Warner Connect, holder of Alternative Local Exchange
Telecommunications Certificate (ALEC) of Public Convenience and
Necessity No. 4724, Interexchange Telecommunications Certificate
(IXC) of Public Convenience and Necessity No. 4723, and Shared
Tenant services (STS) Certificate of Public Convenience and
Necessity No. 4725, has requested the cancellation of ALEC
Certificate No. 4724, IXC Certificate No. 4723, and STS Certificate
No. 4725. Time Warner Connect has complied with the provisions of

DOCUMENT NUMBER-DATE

04335 APR-98

FPSC-RECORDS/REPORTING

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Rules 25-24.820(2), 25-24.474(2), and 25-24.735(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its ALEC, IXC, and STS certificates and by submitting its Regulatory Assessment Fees (RAFs) for the year 2000. Accordingly, we find it appropriate to cancel ALEC Certificate No. 4724, IXC Certificate No. 4723, and STS Certificate No. 4725, effective January 30, 2001. Time Warner Connect shall return to this Commission the Orders granting authority to provide ALEC, IXC, and STS services.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAFs of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for each of the certificates for the year 2001 will be mailed to in December to Time Warner Connect for payment in January. Neither the cancellation of its certificates nor the failure to receive a RAFs Return notices for the year 2001 shall relieve Time Warner Connect from its obligation to pay RAFs for the year 2001.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Time Warner Connect's Certificate No. 4724 to provide Alternative Local Exchange Telecommunications services is hereby canceled, effective January 30, 2001. It is further

ORDERED that Time Warner Connect's Certificate No. 4723 to provide Interexchange Telecommunications services is hereby canceled, effective January 30, 2001. It is further

ORDERED that Time Warner Connect's Certificate No. 4725 to provide Shared Tenant services is hereby canceled, effective January 30, 2001. It is further

ORDERED that Time Warner Connect shall return to this Commission the Orders granting authority to provide Alternative Local Exchange Telecommunications services, Interexchange Telecommunications services, and Shared Tenant services and remit Regulatory Assessment Fees for the year 2001. It is further

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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 or Judicial Review" attached hereto. It is further

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

By ORDER of the Florida Public Service Commission, this 9th day of April, 2001.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
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 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.

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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 April 30, 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.