## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of inhouse corporation reorganization whereby ALEC Certificate No. 7611 and AAV Certificate No. 7612 will be transferred and name changed from Enron Broadband Services, Inc. to Enron Telecommunications, Inc.

DOCKET NO. 010203-TP ORDER NO. PSC-01-1225-FOF-TP ISSUED: May 31, 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

## ORDER ON CLARIFICATION

## BY THE COMMISSION:

By letter dated February 8, 2001, Enron Corporation, Enron Broadband Services, Inc. (Enron Broadband) and Enron Telecommunications, Inc. (Enron Telecommunications) filed with this Commission an application for approval of in-house corporate reorganization whereby Alternative Local Exchange Telecommunications Certificate No. 7611 and Alternative Access Vendor Certificate No. 7612 would be transferred and the name - thereon changed from Enron Broadband to Enron Telecommunications, both subsidiaries of Enron Corporation.

By Order No. PSC-01-0680-PAA-TP, issued on March 20, 2001, we approved the transaction. No protest to the proposed agency action was filed, and, therefore, Consummating Order No. PSC-01-

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0937-CO-TP was issued on April 13, 2001, to reflect that the action was final and effective, and the docket was closed.

However, on February 21, 2001, prior to our approval of the transaction, the companies filed an amended application to clarify that Enron Telecommunications, Inc. is a subsidiary of Enron Broadband Services. However, the intent of the companies was not clearly interpreted by our staff, such that our staff's recommendation reflected that Enron Telecommunications and Enron Broadband Services were both subsidiaries of Enron Corporation.

Therefore, on April 16, 2001, the companies requested a clarification to the Orders to correctly identify that Enron Telecommunications is a subsidiary of Enron Broadband, and Enron Broadband is a subsidiary of Enron Corporation.

Upon consideration, we find it appropriate to clarify Order No. PSC-01-0680-PAA-TP, as consummated by Order No. PSC-01-0937-CO-TP, to reflect that Enron Telecommunications is a subsidiary of Enron Broadband, and Enron Broadband is a subsidiary of Enron Corporation. We emphasize that this clarification does not change the underlying approval of the in-house corporate reorganization, pursuant to Section 364.33, Florida Statutes, as set forth in Order No. PSC-01-0680-PAA-TP. This clarification will merely describe the full extent of the transaction more clearly.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. PSC-01-0680-PAA-TP, as consummated by Order No. PSC-01-0937-CO-TP, is hereby clarified as specified in the body of this Order. It is further

ORDERED that this Docket is closed.

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By ORDER of the Florida Public Service Commission this  $\underline{31st}$  Day of  $\underline{May}$ ,  $\underline{2001}$ .

BLANCA S. BAYÓ, Direct

Division of Records and Reporting

(SEAL)

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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 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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/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. filing must be completed within thirty (30) days after the issuance 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.