

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of consolidation of KMC Telecom Inc. (holder of ALEC Certificate No. 4733, IXC Certificate No. 4792, and AAV Certificate No. 4822), and KMC Telecom II, Inc. (holder of ALEC Certificate No. 5617 and IXC Certificate No. 5616) into KMC Telecom III, Inc. (holder of ALEC Certificate No. 7093 and IXC Certificate No. 7092), whereby all customers and operations of KMC Telecom, Inc. and KMC Telecom II, Inc. will be transferred to KMC Telecom III, Inc.; for cancellation of ALEC Certificates 4733 and 5617, cancellation of IXC Certificates 4792 and 5616; and for transfer and name change on AAV Certificate 4822 from KMC Telecom Inc. to KMC Telecom III, Inc.

DOCKET NO. 010328-TP
ORDER NO. PSC-01-1743-CO-TP
ISSUED: August 27, 2001

CONSUMMATING ORDER

BY THE COMMISSION:

By Order No. PSC-01-1565-PAA-TP, issued July 30, 2001, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. On August 3, 2001, Order No. PSC-01-1565A-paa-TP was issued amending the first Order. No response has been filed to these orders. It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-01-1565-PAA-TP, as amended by PSC-01-1565-PAA-TP, has become effective and final. It is further

DOCUMENT NUMBER-DATE

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ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 27th
Day of August, 2001.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)
JAE

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 judicial review of Commission orders that is available pursuant to Section 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 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 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 the Commission Clerk and Administrative Services 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 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.