BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of stock purchase agreement between Herb J. Newton, Lisa Rogers and HJN Telecom, Inc. (holder of IXC Cert. No. 5693 and ALEC Cert. No. 6040) whereby HJN Telecom, Inc. will become wholly owned by Lisa Rogers; and request for name change from HJN Telcom, Inc. to Reliant Communications, Inc.

DOCKET NO. 020918-TP ORDER NO. PSC-02-1668-PAA-TP ISSUED: November 27, 2002

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman J. TERRY DEASON BRAULIO L. BAEZ MICHAEL A. PALECKI RUDOLPH "RUDY" BRADLEY

NOTICE OF PROPOSED AGENCY ACTION ORDER APPROVING STOCK PURCHASE AGREEMENT AND 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.

Section 364.33, Florida Statutes, provides that a person may not acquire ownership or control of any telecommunications facility, or any extension thereof for the purpose of providing telecommunications services to the public, including the acquisition, transfer, or assignment of majority organizational

13025 NOV 27 B

control or controlling stock ownership, without prior approval from this Commission.

By letter dated August 23, 2002, Herb J. Newton, Lisa Rogers and HJN Telecom, Inc. (HJN Telecom) filed with this Commission an application for approval of a stock purchase agreement between HJN Telecom and Lisa Rogers. HJN Telecom is the holder of Interexchange Telecommunications Certificate (IXC) No. 5693 and Alternative Local Exchange Telecommunications Certificate (ALEC) No. 6040. HJN Telecom has stated that the transaction will not affect the services being provided.

In accordance with our authority under Section 364.33, Florida Statutes, to approve the acquisition or transfer of majority organizational control or controlling stock ownership of a telecommunications company providing service in Florida, we have reviewed the Petition of Herb J. Newton, Lisa Rogers and HJN Telecom, and find it reasonable to approve it. We have based our review and decision upon an analysis of the public's interest in efficient, reliable telecommunications service.

Also by letter dated August 23, 2002, HJN Telecom requested that IXC Certificate No. 5693 and ALEC Certificate No. 6040 be amended to reflect the new corporate name, Reliant Communications, Inc. Upon review of the Department of State, Division of Corporations' records, it appears that HJN Telecom has properly registered the new corporate name. Accordingly, we find it reasonable to amend IXC Certificate No. 5693 and ALEC Certificate No. 6040 to reflect the new corporate name.

This Order will serve as the amended Interexchange Telecommunications Certificate of Public Convenience and Necessity No. 5693 and Alternative Local Exchange Telecommunications Certificate of Public Convenience and Necessity No. 6040 for Reliant Communications, Inc. Reliant Communications, Inc. should retain this Order as evidence of the name change.

Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that Herb J. Newton, Lisa Rogers and HJN Telecom, Inc.'s request for approval of a stock purchase agreement between HJN Telecom, Inc. and Lisa Rogers is hereby approved. It is further

ORDERED that the request by HJN Telecom, Inc. to change the name on Interexchange Telecommunications Certificate No. 5693 from HJN Telecom, Inc. to Reliant Communications, Inc. is hereby approved. It is further

ORDERED that the request by HJN Telecom, Inc. to change the name on Alternative Local Exchange Telecommunications Certificate No. 6040 from HJN Telecom, Inc. to Reliant Communications, Inc. is hereby approved. It is further

ORDERED that this Order will serve as Reliant Communications, Inc.'s amended certificate and that this Order should be retained as evidence of the name change. 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 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 <u>27th</u> day of <u>November</u>, <u>2002</u>.

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

By:

Paul Nichols, Chief

Bureau of Administrative Services

(SEAL)

TLA

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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 18, 2002.

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/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.