

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation  
of IXC Certificate No. 4820 by  
TVMAX Telecommunications, Inc.  
d/b/a OpTel, effective 4/7/03.

DOCKET NO. 030429-TI  
ORDER NO. PSC-03-0885-PAA-TI  
ISSUED: August 4, 2003

The following Commissioners participated in the disposition of  
this matter:

LILA A. JABER, Chairman  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CANCELING INTEREXCHANGE  
TELECOMMUNICATIONS 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.

TVMAX Telecommunications, Inc. d/b/a OpTel (OpTel), holder of  
Interexchange Telecommunications Certificate (IXC) of Public  
Convenience and Necessity No. 4820, has requested the cancellation  
of IXC Certificate No. 4820. OpTel has complied with the provision  
of Rule 25-24.474(2), Florida Administrative Code, by providing  
adequate notice in writing of its request for cancellation of its  
IXC certificate and by submitting its Regulatory Assessment Fees  
(RAFs) for the year 2002. Accordingly, we find it appropriate to  
cancel IXC Certificate No. 4820, effective April 7, 2003. We are  
vested with jurisdiction over this matter pursuant to Section  
364.335, Florida Statutes.

DOCUMENT NUMBER-DATE

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ORDER NO. PSC-03-0885-PAA-TI  
DOCKET NO. 030429-TI  
PAGE 2

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for the year 2003 will be mailed to OpTel for payment by January 30th. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the year 2003 shall relieve OpTel from its obligation to pay RAFs for the year 2003.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that TVMAX Telecommunications, Inc. d/b/a OpTel's Certificate No. 4820 to provide Interexchange Telecommunications services is hereby canceled, effective April 7, 2003. It is further

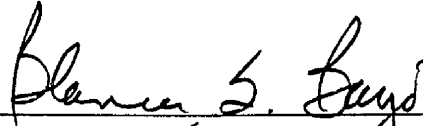
ORDERED that TVMAX Telecommunications, Inc. d/b/a OpTel shall remit Regulatory Assessment Fees for the year 2003. It is further

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 the Commission Clerk and Administrative Services, 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 this Order becomes final, this docket shall be closed.

ORDER NO. PSC-03-0885-PAA-TI  
DOCKET NO. 030429-TI  
PAGE 3

By ORDER of the Florida Public Service Commission this 4th Day  
of August, 2003.



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

( S E A L )

JPR

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

ORDER NO. PSC-03-0885-PAA-TI  
DOCKET NO. 030429-TI  
PAGE 4

the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 25, 2003.

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.