

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation of Certificate of  
Necessity No. 7124 by AboveNet  
Communications, Inc., effective November 7,  
2012.

DOCKET NO. 120283-TX  
ORDER NO. PSC-13-0055-FOF-TX  
ISSUED: January 28, 2013

ORDER CANCELLING CERTIFICATE OF NECESSITY

BY THE COMMISSION:

AboveNet Communications, Inc. (AboveNet), holder of Certificate of Necessity No. 7124, has requested the cancellation of Certificate No. 7124. AboveNet has complied with the provision of Rule 25-24.820(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its certificate and by submitting its Regulatory Assessment Fees (RAFs) for the year 2012.

Accordingly, we find it appropriate to cancel Certificate of Necessity No. 7124, effective November 7, 2012. We are vested with jurisdiction over this matter pursuant to Section 364.335 and 364.3375, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service AboveNet Communications, Inc.'s Certificate of Necessity No. 7124, to provide Telephone Services is hereby canceled, effective November 7, 2012. It is further

ORDERED that this Docket is closed.

DOCUMENT NUMBER-DATE

00489 JAN 28 2013

FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 28th day of January, 2013.



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ANN COLE  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.