

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: APPLICATION OF RESERVATION AND)	DOCKET NO. 880988-TI
INFORMATION SYSTEMS, INC. FOR TRANSFER OF)	ORDER NO. 20775
IXC CERTIFICATE NO. 1730 TO OPTIC LINK,)	ISSUED: 2-20-89
INC.)	

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 JOHN T. HERNDON

NOTICE OF PROPOSED AGENCY ACTIONORDER DENYING CERTIFICATE TRANSFER

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 formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

BACKGROUND

On July 22, 1988, Reservations Information Systems, Inc. (RIS) filed an application to transfer Certificate of Public Convenience and Necessity No. 1730 to Optic Link, Inc. (Optic Link). RIS was granted Certificate No. 1730 on September 14, 1987, by Order No. 18151, to provide interexchange telecommunications service. This application is essentially a name change since Mr. David A. O'Conner manages and controls both companies.

The transfer application was incomplete as filed, and Commission Staff requested additional information on October 17, 1988, to which no response was received.

Several months prior to this application, RIS filed a proposed tariff (T-88-100) to modify and increase charges for its operator handled calls as well as its long distance structure and rates. Again, the filing was inadequate and on April 8, 1988, Staff mailed an explanation to Mr. O'Conner and a request to revise and correct the filing. Numerous attempts to contact RIS and Mr. O'Conner for these corrections to the tariff proved fruitless. Repeated attempts were made after the filing in this docket with the same results. Finally, on November 22, 1988, it was verified that RIS had been disconnected by its underlying carrier and that the company had no current listing in the directory.

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DISCUSSION

Rule 25-24.473, Florida Administrative Code, requires all IXC applicants to provide specific and concise information in order to allow a determination of whether it is in the public interest to allow the applicant to hold a certificate of public convenience and necessity. RIS and Optic Link have failed to file the requested information in a timely manner and have shown a disregard for our rules and regulations. It is instructive that the management of the present certificate holder will be the same after the proposed transfer. We find therefore that this transfer is not in the public interest.

In view of the apparent inactive status of the company, we will issue a subsequent order requiring RIS to show cause why its certificate should not be revoked.

Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of Optic Link, Inc. for transfer of Certificate of Public Convenience and Necessity No. 1730 from Reservations Information Systems, Inc., is hereby denied. It is further

ORDERED that the effective date of this Order is March 14, 1989 if there is no protest to this proposed agency action within the time frame set forth below.

By ORDER of the Florida Public Service Commission,
this 20th day of FEBRUARY, 1989.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ELJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes (1985), as amended by Chapter 87-345, Section 6, Laws of Florida (1987), 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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the

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Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 13, 1989. In the absence of such a petition, this order shall become effective March 14, 1989 as provided by Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on March 14, 1989, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer 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. This filing must be completed within thirty (30) days of the effective date 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.