

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of TELESPIHERE)	DOCKET NO. 890227-TI
NETWORK, INC. for authority to transfer)	ORDER NO. 21106
control to FG VENTURES, INC.)	ISSUED: 4-24-89

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

NOTICE OF PROPOSED AGENCY ACTIONORDER GRANTING APPROVAL OF ACQUISITION

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.

Telesphere Network, Inc. (Telesphere) operates under Certificate of Public Convenience No. 2176 as a provider of interexchange telecommunications services, with alternative operator service, in Florida. On February 13, 1989, Telesphere petitioned for this Commission's approval of the proposed acquisition of its assets by FG Ventures, Inc. The company indicates that it will operate under the same name and tariffs should the acquisition be approved, which will, in all other respects, be transparent to Telesphere's customers.


We find that this acquisition will result in a more viable company and therefore, the application should be approved.

It is, therefore,

ORDERED by the Florida Public Service Commission that the acquisition of Telesphere Network, Inc., by FG Ventures, Inc. is hereby approved. It is further

ORDERED that the effective date of this amendment is May 16, 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 24th day of APRIL, 1989.


 STEVE TRIBBLE, Director
 Division of Records and Reporting

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on May 15, 1989. In the absence of such a petition, this order shall become effective May 16, 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 May 16, 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.