

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for cancellation of)	DOCKET NO. 900740-TI
Interexchange Certificate No. 53 by)	ORDER NO. 23781
TELUS COMMUNICATIONS, INC.)	ISSUED: 11-19-90
)	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 FRANK S. MESSERSMITH

NOTICE OF PROPOSED AGENCY ACTION

ORDER CANCELING TELUS COMMUNICATIONS INC.'S
CERTIFICATE NO. 53

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On August 31, 1989, Advanced Telecommunications Corporation (ATC or the Company) filed a notice of merger agreement between Galesi Telecommunications, Inc. (GTI) and ATC Acquisition Sub. Inc. (ATC-sub). Telus Communications, Inc. (Telus) was a subsidiary of GTI and certificated in Florida to provide interexchange carrier service. As a result of the merger, Telus remained a subsidiary of GTI and GTI became a subsidiary of ATC. ATC petitioned this Commission for approval of the resulting change in majority ownership of Telus. We granted this petition in Order No. 22287.

Currently, Telus and ATC each provide service under separate tariffs which are on file with this Commission. The merger between GTI and ATC-sub was the first step in the eventual consolidation of the separate operations into a common network. The Company asserts that the consolidation of Telus' and ATC's services will result in the elimination of redundant transmission and switching facilities and strengthen the Company's financial soundness to the benefit of the combined customer base. We agree.

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On August 31, 1990, ATC and Telus applied to this Commission for authority to cancel Certificate No.53 which belongs to Telus. We find that this request satisfies the requirements of Rule 25-24.474, Florida Administrative Code which applies to such cancellations. As a result of canceling the Telus certificate, its tariff will also be canceled.

Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Telus Communications, Inc.'s Certificate No. 53 is canceled. It is further

ORDERED that this docket shall be closed if no protest is filed in accordance with the requirements set forth below.

By ORDER of the Florida Public Service Commission, this 19th
day of NOVEMBER, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

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

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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 December 12, 1990.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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 the date described above, 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.