

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of)	DOCKET NO. 900974-TI
control of NCN COMMUNICATIONS, INC. to)	ORDER NO. 24254
GENTRY GROUP, INC.)	ISSUED: 3/18/91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 J. TERRY DEASON
 GERALD L. GUNTER
 MICHAEL MCK. WILSON

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF CONTROL

BY THE COMMISSION:

NCN Communications, Inc. (NCN) operates under Certificate of Public Convenience No. 2482 as a provider of interexchange telecommunications in Florida. On December 12, 1990, Gentry Group, Inc. (Gentry) applied for authority to transfer control of the certificate from NCN. Gentry indicates that it will keep in full force and effect all existing service and rates of NCN's tariff to insure continuity of services to its customers. Additionally, because of NCN's prior service history, Gentry agrees to abide by and be subject to the terms outlined in Order No. 23773, issued November 16, 1990.

Therefore, we find that the transfer of control of Certificate No. 2482 is in the public interest, and we hereby approve Gentry's request.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the transfer of control of Certificate No. 2482 from NCN Communications, Inc. to Gentry Group, Inc., is hereby approved. It is further

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

DOCUMENT NUMBER-DATE

02626 MAR 18 1991

PSC-RECORDS/REPORTING

ORDER NO. 24254
DOCKET NO. 900974-TI
ISSUED: 3/18/91
PAGE: 2

By ORDER of the Florida Public Service Commission, this 18th
day of MARCH, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

PAK

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 April 8, 1991.

ORDER NO. 24254
DOCKET NO. 900974-TI
ISSUED: 3/18/91
PAGE: 3

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.