

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to )	DOCKET NO. 901007-TS
provide shared tenant service at 777 )	
South Flagler Drive, 8th Floor, West )	ORDER NO. 24359
Tower in West Palm Beach by CORPORATE )	
OFFICES AT PHILLIPS POINT, INC. )	ISSUED: 4/15/91
)	

\* The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER GRANTING SHARED TENANT SERVICES CERTIFICATE

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 December 24, 1990, CORPORATE OFFICES AT PHILLIPS POINT, INC. (the company) filed an application for a Certificate of Public Convenience and Necessity to operate as a shared tenant service (STS) provider at 777 South Flagler Drive, 8th Floor, West Tower, West Palm Beach, Florida 33401.

The company is a Florida corporation authorized to do business in this state. At present, it has no applications pending for certification in any other state; no regulatory penalties have ever been imposed, and it has not been involved in any civil court proceedings with interexchange telephone companies (IXCs), local exchange companies (LECs) or other telecommunications entities. The company agrees to comply with the Commission's rules and orders, and to the payment of regulatory assessment fees.

We find that the company's application has satisfied our standard filing requirements and we hereby grant the company an STS certificate to provide service at the address set forth above.

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1. SC-RECORDS/REPORTING

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On December 17, 1990, the company acquired the executive offices located at the address set forth above. On that date it assumed the shared tenant service responsibilities which had been provided by the previous owners. The company quickly ascertained that STS was not certificated at that location and filed the appropriate application with this Commission on December 24, 1990. Because of the company's prompt action, we find that a fine is inappropriate.

As we have decided not to issue a show cause Order in this Docket, the Docket shall be closed after the effective date of this proposed agency action as set forth below, assuming no timely protest is received.

Based on the foregoing, it is

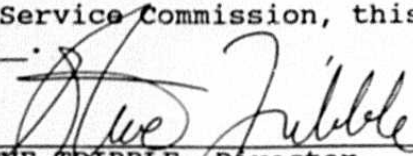
ORDERED by the Florida Public Service Commission that CORPORATE OFFICES AT PHILLIPS POINT, INC.'s shared tenant service application meets the Commission's requirements for certification. It is further

ORDERED that a certificate is hereby granted to CORPORATE OFFICES AT PHILLIPS POINT, INC. to provide shared tenant service at 777 South Flagler Drive, 8th Floor, West Tower, West Palm Beach, Florida 33401. It is further

ORDERED that the Commission shall not require CORPORATE OFFICES AT PHILLIPS POINT, INC. to show cause in writing why it should not be fined \$500.00 for violation of Commission Rule 25-24.565, Florida Administrative Code for providing shared tenant services prior to being certificated. It is further

ORDERED that, assuming no timely protest is filed, this Docket shall be closed at the end of the protest period set forth below.

By ORDER of the Florida Public Service Commission, this 15th day of APRIL, 1991.

  
 STEVE TRIBBLE, Director  
 Division of Records and Reporting

( S E A L )  
 CWM

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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 6, 1991.

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.