

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of JONES LIGHTWAVE )  
OF TAMPA, INC. for a certificate )  
authorizing operation as an interexchange )  
telephone company in Florida )

DOCKET NO. 910090-TI  
ORDER NO. 24528  
ISSUED: 5/14/91

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

Jones Lightwave of Tampa, Inc. filed an application for an interexchange certificate on January 28, 1991. The application contained the required background information and its proposed tariff. The Company is a non-facilities based company which initially plans to lease dark fiber transmission capacity from certain carrier's carriers. It will then lease this capacity to other certificated telecommunications carriers. After having considered the application, it appears that the Company is technically capable of providing service. Therefore, we find that it is in the public interest to grant a certificate to Jones Lightwave of Tampa, Inc., and it is our intention to grant the certificate. Interexchange carriers (IXCs) are subject to the provisions of Rules 25-24.455 through 25-24.495, Florida Administrative Code. Additionally, by Order No. 16804, IXCs are prohibited from constructing facilities to bypass a local exchange company without express prior approval from the Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of Jones Lightwave of Tampa, Inc. for a certificate to

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provide intrastate interexchange telecommunications service is granted as set forth in the body of this order. It is further

ORDERED that the effective date of the certificate is the date specified below, if there is no protest to the proposed agency action within the time frame set forth below.

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 14th day of MAY, 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

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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 JUNE 04, 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.

MEMORANDUM

May 13, 1991

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (KURLIN) *pak TP*

RE: DOCKET NO. 910090-TI

*24527*

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Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING CERTIFICATE in the above-referenced docket, which is ready to be issued.

PAK/mgf

Attachment

cc: Division of Communications

910090a.mgf

*Protests  
due 4/4/91*

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