

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for authority to)	DOCKET NO. 910469-TI
provide interexchange telecommunications)	ORDER NO. 24748
services by BUSINESS CHOICE NETWORK, INC.)	ISSUED: 7-2-91
_____)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 J. TERRY DEASON
 BETTY EASLEY
 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.

Pursuant to Sections 364.335 and 364.337, Florida Statutes, the Commission may grant a certificate of public convenience and necessity to provide interexchange telecommunications services to a qualified person or other entity. Interexchange telephone companies are subject to the provisions of Chapter 364, Florida Statutes, and Rules 25-24.455 through 25-24.495, Florida Administrative Code.

On March 29, 1991, Business Choice Network, Inc. (the "Company"), filed an application for a certificate to provide interexchange telecommunications services. The application contained the required background information and its proposed tariff. Having considered the application, it appears that the Company is financially stable and technically capable of providing service. We note that a member of the Company's board of directors, who is also a stockholder, was convicted in 1988 of false use of a Social Security number. However, upon review of the entire application, we find that it is in the public interest to grant a certificate to the Company, and it is our intention to grant the certificate.

Based on the foregoing, it is

DOCUMENT NUMBER-DATE
 06646 JUL -2 1991
 PSC-RECORDS/REPORTING

ORDER NO. 24728
DOCKET NO. 910469-TI
PAGE 2

ORDERED by the Florida Public Service Commission that the application of Business Choice Network, Inc. for a certificate to 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 set forth below, if there is no protest to this proposed agency action within the time frame set forth below. It is further

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

By ORDER of the Florida Public Service Commission, this 2nd
day of July, 1991.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

by: Kary Heizer
Chief, Bureau of Records

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-

ORDER NO. 24748
DOCKET NO. 910469-TI
PAGE 3

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 7-23-91.

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.