

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for cancellation) DOCKET NO. 930074-TP
of Interexchange Telecommunica-) ORDER NO. PSC-93-0296-FOF-TP
tions Service Certificate No.) ISSUED: 02/24/93
2387 issued to METROPOLITAN)
FIBER SYSTEMS OF MIAMI, INC. and)
issuance of certificate to)
provide alternate access vendor)
services.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
THOMAS M. BEARD
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING IXC TARIFF AND CERTIFICATE
NO. 2387 AND GRANTING AAV AUTHORITY

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 November 13, 1989, Metropolitan Fiber Systems of Miami, Inc. (MFS) was granted Interexchange Telecommunication Services (IXC) Certificate No. 2387 to provide limited interexchange telecommunication services.

On January 15, 1993, MFS filed a request to reclassify its existing IXC certificate to that of an Alternative Access Vendor (AAV) and cancel its existing tariff.

Having reviewed the January 15, 1993, filing we find it appropriate to cancel the Company's existing IXC tariff and certificate and grant an AAV certificate.

Based on the foregoing, it is

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ORDERED by the Florida Public Service Commission that the request by METROPOLITAN FIBER SYSTEMS OF MIAMI, INC. to cancel its tariff and Interexchange Telecommunications Service Certificate No. 2387 is hereby approved. It is further

ORDERED that a certificate to provide Alternative Access Vendor Services is hereby granted. It is further

ORDERED that this Docket shall be closed after the effective date of this proposed agency action (PAA) Order, assuming no timely protest is received.

By ORDER of the Florida Public Service Commission this 24th day of February, 1993.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

by: Kay Flynn
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 25-22.029(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 March 17, 1993.

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 wastewater 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.