

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Cancellation ) DOCKET NO. 930219-TI  
by Florida Public Service ) ORDER NO. PSC-93-0593-FOF-TI  
Commission of Interexchange ) ISSUED: April 15, 1993  
Telecommunications Service )  
Certificate No. 2445 and Tariff )  
Issued to FIBERFONE OF FLORIDA, )  
INC. for Violation of Rule 25- )  
24.480, F.A.C., Reports and )  
Records; Rules Incorporated. )

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 CERTIFICATE NO. 2445

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.

Under Rule 25-24.480(3)(a) and (b), Florida Administrative Code, certificated telecommunications services providers are required to apprise this Commission of any change in the certificate holder's address, telephone number, or of the individual who serves as primary liaison with the Commission.

In December, 1992, and February, 1993, this Commission attempted to contact Fiberfone of Florida, Inc. (FOF), at its last reported address, via U.S. Mail. These items were returned, undelivered. Further investigation indicated that FOF was no longer located at its last reported address and that its telephone was no longer in service.

According to Rule 25-24.474, Florida Administrative Code, this Commission may cancel a certificate on its own motion for violation of a Commission statute, rule, or order. Since FOF failed to notify this Commission of the above-noted change, in violation of Rule 25-24.480(3)(a) and (b), Florida Administrative Code, we find

DOCUMENT NUMBER-DATE

04105 APR 15 83

FPSC-RECORDS/REPORTING

ORDER NO. PSC-93-0593-FOF-TI  
DOCKET NO. 930219-TI  
PAGE 2

it appropriate to cancel its certificate of public convenience and necessity.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 2445, issued to Fiberfone of Florida, Inc. to provide interexchange telecommunications services, is hereby cancelled. It is further

ORDERED that this docket will be closed at the end of the protest period unless a substantially affected person files a protest on or before the date set forth in the Notice of Further Proceedings section of this Order, as set forth below.

By ORDER of the Florida Public Service Commission this 15th day of April, 1993.



STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

RJP

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 NO. PSC-93-0593-FOF-TI  
DOCKET NO. 930219-TI  
PAGE 3

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, 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.