

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Cancellation by Florida) DOCKET NO. 930496-TI
Public Service Commission of) ORDER NO. PSC-93-1077-FOF-TI
Interexchange Telecommuni-) ISSUED: 7/26/93
cations Certificate No. 2466)
issued to AMERICAN PUBLIC)
COMMUNICATIONS, INC. for)
violation of Rule 25-)
24.480(3)(a)(b), F.A.C., Records)
and Reports, 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. 2466

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 April 9, 1992, and May 17, 1993, mail sent to American Public Communications, Inc. (APC), the current holder of Certificate No. 2466, was returned to this Commission as undeliverable. An investigation into this matter revealed that APC was no longer located at its official address and that its telephone was no longer in service.

According to Rule 25-24.480(3)(a) and (b), Florida Administrative Code, certificated telecommunications services providers are required to inform this Commission of any change of address, telephone number, or the name or address of the individual who serves as primary liaison with this Commission. Under Rule 25-24.474, Florida Administrative Code, this Commission may cancel a certificate on its own motion for the violation of a Commission statute, rules or order.

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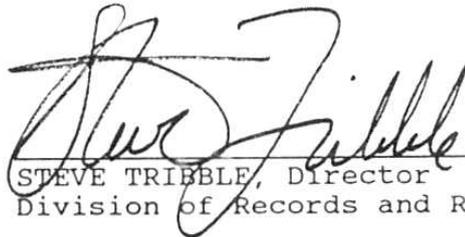
Since APC failed to notify this Commission of the change in its address and telephone number, in violation of Rule 25-24.480(3)(a) and (b), Florida Administrative Code, we find it appropriate to cancel Certificate No. 2466 pursuant to Rule 25-24.474(b), Florida Administrative Code.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Certificate No. 2466, issued to American Public Communications, Inc., is hereby cancelled, as set forth in the body of this Order. It is further

ORDERED that, unless a person whose substantial interests are affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, the cancellation of Certificate No. 2466 shall become effective on the following date and this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 26th day of July, 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

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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 August 16, 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.