

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 921246-TI
certificate to provide) ORDER NO. PSC-93-1231-FOF-TI
interexchange telecommunications) ISSUED: August 24, 1993
service by COMMUNICATION)
SERVICES AMERICA.)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER DENYING APPLICATION FOR 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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On December 10, 1992, Communication Services America (CSA) filed an application for a certificate to provide interexchange telecommunications services in the State of Florida. However, its application was deficient in that it lacked documentation from the Department of State, Division of Corporations, that CSA was authorized to transact business in Florida.

Further investigation by the Staff of this Commission (Staff) revealed that CSA is a fictitious name and that the real party in interest is Applied Signal Corporation (ASC). ASC also lacks authority to transact business in the State of Florida.

Although we have advised ASC of the above-noted deficiencies, and despite assurances from ASC that it would obtain authority to transact business in the State of Florida, it has not done so. Moreover, we have revised our schedule for processing ASC's application four times. By letter dated June 29, 1993, Staff notified ASC that it intended to recommend that its application be denied and this docket closed. ASC did not respond to Staff's letter. Accordingly, we find it appropriate to deny its application and close this docket.

DOCUMENT IDENTIFICATION

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FLORIDA PUBLIC SERVICE COMMISSION

ORDER NO. PSC-93-1231-FOF-TI
DOCKET NO. 921246-TI
PAGE 2

It is, therefore,

ORDERED by the Florida Public Service Commission that the application of Applied Signal Corporation d/b/a Communication Services America for a certificate to provide interexchange telecommunications services is hereby denied. It is further

ORDERED that, unless a person whose interests are substantially 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, this docket shall be closed on the following date.

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

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RJP

by: Kay Hynan
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.

ORDER NO. PSC-93-1231-FOF-TI
DOCKET NO. 921246-TI
PAGE 3

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 September 14, 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.