

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for ) DOCKET NO. 930784-TS  
certificate to provide shared ) ORDER NO. PSC-93-1829-FOF-TS  
tenant services at First Union ) ISSUED: December 27, 1993  
Financial Center, 200 Biscayne )  
in Miami by FAIRCHILD )  
COMMUNICATIONS SERVICES COMPANY )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
JULIA L. JOHNSON  
LUIS J. LAUREDO

ORDER CLOSING DOCKET

BY THE COMMISSION:

On August 5, 1993, Fairchild Communications Service Company (Fairchild) filed an application for a certificate to provide shared tenant services at 200 South Biscayne Boulevard, Miami, Florida. Its application was approved by this Commission by Proposed Agency Action Order No. PSC-93-1498-FOF-TS, issued October 14, 1993.

By letter dated October 22, 1993, Fairchild requested to withdraw its application for a certificate. Fairchild's request to withdraw its application for a certificate was filed well within the protest period. If we went ahead and granted, and then cancelled, a certificate, Fairchild would be liable for the minimum applicable amount of regulatory assessment fees. However, if we treated Fairchild's letter as a protest of Order No. PSC-93-1498-FOF-TS, no such liability would attach.

Since Fairchild's request was filed within the protest period, and since Fairchild never provided service under the proposed certificate, we believe that it would be equitable to treat Fairchild's request to withdraw its application for a certificate as a protest of PAA Order No. PSC-93-1498-FOF-TS. However, since Fairchild has not requested a hearing on this matter, nothing remains to be done in this docket.

It is, therefore,

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ORDERED by the Florida Public Service Commission that Docket No. 930784-TS be and is hereby closed.

By ORDER of the Florida Public Service Commission, this 27th day of December, 1993.

  
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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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or 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 after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.