

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for cancellation ) DOCKET NO. 940924-TI  
of Interexchange ) ORDER NO. PSC-94-1252-FOF-TI  
Telecommunications Service ) ISSUED: October 11, 1994  
Certificate No. 3161 and tariff )  
issued to TOUCH 1, INC. and )  
transfer of control to TOUCH 1 )  
LONG DISTANCE, INC. )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
SUSAN F. CLARK  
JOE GARCIA  
JULIA L. JOHNSON  
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION ORDER  
APPROVING TRANSFER OF CONTROL AND CANCELLATION OF 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 substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On August 29, 1994, Touch 1, Inc. (Touch 1), the holder of Certificate No. 3161, along with LDDS Communications, Inc. d/b/a LDDSMetromedia Communications (LDDS), and Touch 1 Long Distance, Inc. (Touch 1 L. D.), a subsidiary of LDDS, petitioned the Commission to transfer control of Touch 1 to LDDS, cancel Touch 1's certificate, and approve the merger of Touch 1, Inc. with Touch 1 L. D. Touch 1 L. D. will remain as the surviving entity.

Touch 1, Inc., with this approval, will become a wholly-owned subsidiary of LDDS. Under the merger agreement, existing Touch 1 shareholders will exchange their Touch 1 shares for LDDS shares and cash. We find the transactions to be in the public interest. Accordingly, the requests are granted.

DOCUMENT NUMBER-DATE

10379 OCT 11 1994

FPSC-RECORDS/REPORTING

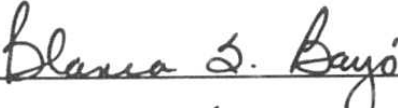
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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request by Touch 1, Inc., LDDS Communications, Inc. d/b/a LDDSMetromedia Communications (LDDS) and Touch 1 Long Distance, Inc., to cancel Certificate No. 3161, transfer control of Touch 1, Inc. to LDDS, and approve the merger of Touch 1, Inc. with Touch 1 Long Distance, Inc., as outlined in the body of this Order, is granted. 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, this Order shall become final and this docket shall be closed on the following date.

By ORDER of the Florida Public Service Commission, this 11th day of October, 1994.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

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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

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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 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on November 1, 1994.

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.