

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for cancellation) DOCKET NO. 941262-TI
of Interexchange) ORDER NO. PSC-95-0085-FOF-TI
Telecommunications Service) ISSUED: January 17, 1995
Certificate No. 3415 by ACACIA)
TELEPHONE & COMMUNICATIONS)
COMPANY.)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING 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.

By letter dated November 28, 1994, Acacia Telephone and Communications Company (Acacia) notified the Commission that it no longer desires to be recognized as a certified carrier in Florida. Acacia represents that it is no longer providing telecommunication services in Florida and that all of its customers have selected another long distance carrier. Accordingly, for these reasons, we will grant Acacia's request and cancel its Certificate of Public Convenience and Necessity No. 3415.

It is therefore,

ORDERED by the Florida Public Service Commission that the request of Acacia Telephone and Communications Company for the cancellation of Certificate of Public Convenience and Necessity No. 3415 is hereby approved. It is further

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ORDERED that Acacia, if it has not already done so, return its certificate and remit any outstanding regulatory assessment fees due the Florida Public Service Commission. It is further

ORDERED that any protest of this docket shall be filed pursuant to the requirements set forth below. It is further

ORDERED that if no protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 17th day of January, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

MMB

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 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

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Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on February 7, 1995.

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 substantially 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.