

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 960521-TI
reassignment of Interexchange) ORDER NO. PSC-96-0932-FOF-TI
Telecommunications Certificate) ISSUED: July 17, 1996
No. 3159 to TTI National, Inc.)
by Target Telecom, Inc.)
_____)

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 APPROVING REASSIGNMENT OF
INTEREXCHANGE TELECOMMUNICATIONS 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.

By joint application filed April 23, 1996, Target Telecom, Inc. (Target), TTI National, Inc. (TTI), and WorldCom, Inc. d/b/a LDDS WorldCom (LDDS) petitioned for approval to transfer Target's Certificate of Public Convenience and Necessity to TTI. By Order No. PSC-93-0438-FOF-TI, issued March 23, 1993, Target was granted Certificate No. 3159 to provide interexchange telecommunications service.

LDDS operates as a facilities-based and non-facilities-based interexchange carrier that provides service directly and indirectly through its subsidiaries in 48 states, including Florida. TTI is a wholly-owned subsidiary of LDDS, and was formed specifically for the purpose of facilitating the acquisition of Target's assets by LDDS. The transfer of assets from Target to TTI will be made in a seamless fashion that will not adversely affect the provision of telecommunications service in Florida. Customers will be able to purchase, at the same rate levels, the same services from TTI that they currently purchase from Target.

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We find that it is in the public interest to approve the transfer of Certificate No. 3159 from Target to TTI. Such transfer will enable LDDS to offer new and improved services to Florida customers. Further, the transfer will be transparent to the affected customers. Within 30 days from the date that this Order becomes final, TTI shall file with this Commission a tariff that duplicates the service offerings, rates, terms and conditions as currently filed in Target's tariff.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the transfer of Certificate No. 3159 from Target Telecom, Inc. to TTI National, Inc., is hereby approved. It is further

ORDERED that in the event this Order becomes final, TTI National, Inc., shall file with this Commission, within 30 days from the date that this Order becomes final, a tariff that duplicates the service offerings, rates, terms and conditions as currently filed in Target's tariff. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 17th day of July, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay J. J. J.
Chief, Bureau of Records

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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 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 7, 1996.

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.