

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Approval of ) DOCKET NO. 961073-TI  
Transfer of Assets and ) ORDER NO. PSC-96-1486-FOF-TI  
Interexchange Telecommunications ) ISSUED: December 4, 1996  
Certificate No. 3505 from )  
Keystone Telecommunications, )  
Inc. to Chadwick )  
Telecommunications Corp. )  
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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 TRANSFER OF ASSETS AND 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 September 10, 1996, Chadwick Telecommunications Corp. (Chadwick) and Keystone Telecommunications, Inc. (Keystone), jointly requested approval of the transfer of assets and of the transfer of Interexchange Telecommunications Certificate 3505 from Keystone to Chadwick. The companies signed an Asset Purchase Agreement on August 17, 1996, pursuant to which Chadwick will acquire selected Keystone assets. The companies represented that the transfer of assets will be made in a seamless fashion that will not adversely affect the provision of telecommunications services in Florida. Chadwick will file a tariff that duplicates the service offerings, rates, terms, and conditions currently available to Keystone's customers. Chadwick will notify all of Keystone's customers of the transaction and will permit them to select a different service provider at no cost. Chadwick stated that it believes the Keystone customers will benefit from operational improvements and enhancements offered by the combination of the companies.

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Chadwick is not presently authorized to provide intrastate telecommunications services in Florida. Chadwick intends to operate exclusively as a reseller of interLATA and intraLATA interexchange services, and to provide a full range of 1+ interexchange services, including MTS, WATS, 800 and calling card services.

The companies stated that they believe the transfer of assets and authority to be in the public interest, because it will enable Chadwick to continue expanding its operations, offer new and improved services to Florida customers, and intensify competition in the Florida telecommunications market.

We find the transfer to be in the public interest. Accordingly, the request for approval of the transfer of assets and of Interexchange Telecommunications Certificate No. 3505 is granted.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the joint request by Chadwick Telecommunications Corp. and Keystone Telecommunications, Inc., for approval of the transfer of selected assets from Keystone Telecommunications, Inc., to Chadwick Telecommunications Corp. is granted. It is further

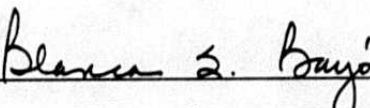
ORDERED that the joint request by Chadwick Telecommunications Corp. and Keystone Telecommunications, Inc., for approval of the transfer of Interexchange Telecommunications Certificate No. 3505 from Keystone Telecommunications, Inc., to Chadwick Telecommunications Corp. is granted. It is further

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.

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By ORDER of the Florida Public Service Commission, this 4th  
day of December, 1996.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

CJP

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 December 26, 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.