

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of transfer of Alternative Access Vendor Telecommunications Certificate No. 4040 with authority to provide ALEC services from Worldcom, Inc. d/b/a LDDS Worldcom MFS Intelenet of Florida, Inc.

DOCKET NO. 970575-TA
ORDER NO. PSC-97-0759-FOF-TA
ISSUED: June 26, 1997

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER 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.

By letter dated May 9, 1997, Worldcom, Inc. d/b/a LDDS Worldcom (Worldcom), holder of Alternative Access Vendor Telecommunications (AAV) Certificate Number 4040 with authority to provide alternative local exchange telecommunication service (ALEC), and MFS Intelenet of Florida, Inc. (MFS), jointly requested that AAV Certificate Number 4040 with authority to provide alternative local exchange telecommunication service be transferred from Worldcom to MFS Intelenet of Florida, Inc.

DOCUMENT NUMBER-DATE

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FILED IN THE OFFICE OF THE CLERK

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Worldcom and MFS have complied with Rule 25-24.730, Florida Administrative Code, regarding the transfer of alternative access vendor telecommunications certificates. We find the transfer to be in the public interest and, therefore, approve the transfer. Certificate Number 4040 with authority to provide alternative local exchange telecommunication service shall be amended to reflect that MFS is the holder of this certificate.

AAV Services providers are subject to Chapter 25-24, Florida Administrative Code, Part XIV, Rules Governing Alternative Access Vendor Services, as well as the terms and conditions of Order No. 24877, issued August 2, 1991.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request for transfer of Alternative Access Vendor Telecommunications Certificate Number 4040 with authority to provide alternative local exchange telecommunication service from Worldcom, Inc. d/b/a LDDS Worldcom to MFS Intelenet of Florida, Inc. is hereby approved. It is further

ORDERED that Alternative Access Vendor Telecommunications Certificate Number 4040 with authority to provide alternative local exchange telecommunication service shall be amended to reflect that MFS Intelenet of Florida, Inc. is the holder of this certificate.

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 26th
day of June, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 July 17, 1997.

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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.