

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of acquisition of 360 Communications (holder of IXC Certificate No. 4715 in the name 360 Long Distance, Inc.) by ALLTEL Corporation, and change in name on Certificate No. 4715 to 360 Long Distance, Inc. d/b/a ALLTEL/360.

DOCKET NO. 981359-TI
ORDER NO. PSC-98-1637-FCF-TI
ISSUED: December 7, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING ACQUISITION AND NAME CHANGE

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.

Section 364.33, Florida Statutes, provides that a person may not acquire ownership or control of any telecommunications facility, or any extension thereof for the purpose of providing telecommunications services to the public, including the acquisition, transfer, or assignment of majority organizational control or controlling stock ownership, without prior approval from this Commission.

By letter dated October 15, 1998, 360° Communications (360° Communications) and ALLTEL Corporation (ALLTEL) filed with this Commission a joint petition for approval of acquisition of 360° Communications by ALLTEL. 360° Communications is the holder of

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Interexchange Telecommunications (IXC) Certificate No. 4715 under the name 360° Long Distance, Inc. The companies further requested, by letter dated October 19, 1998, a name change on IXC Certificate No. 4715 from 360° Long Distance, Inc. to 360° Long Distance, Inc. d/b/a ALLTEL/360° (ALLTEL/360°).

ACQUISITION

The companies have stated that the transaction will have no adverse effect on the customers in terms of the services they receive. 360° Communications has stated that it will continue to operate under its existing certificate and tariff on file with this Commission.

We determine that 360° Communications and ALLTEL have met the requirements of Section 364.33, Florida Statutes. Accordingly, we find that the acquisition of 360° Communications by ALLTEL is in the public interest, and we approve it pursuant to Section 364.33, Florida Statutes.

NAME CHANGE

Upon review of the Department of State, Division of Corporations' records, it appears that 360° Communications has properly registered the new corporate name. Accordingly, we find it appropriate to amend Certificate No. 4715 to reflect the new operating name, 360° Long Distance, Inc. d/b/a ALLTEL/360°.

This Order will serve as the amended IXC Certificate of Public Convenience and Necessity No. 4715 for ALLTEL/360°. ALLTEL/360° should retain this Order as evidence of the name change.

Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that the acquisition of 360° Communications by ALLTEL Corporation is hereby approved. It is further

ORDERED that the request by 360° Communications to change the name on Certificate No. 4715 from 360° Long Distance, Inc. to 360° Long Distance, Inc. d/b/a ALLTEL/360° is hereby approved. It is further