

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide interexchange telecommunication services by CommcoTec Corporation.

DOCKET NO. 990341-TI

In re: Application for certificate to provide interexchange telecommunications service by The Free Network, L.L.C.

DOCKET NO. 990359-TI

In re: Application for certificate to provide interexchange telecommunications service by Direct American Marketers, Inc. d/b/a Direct One.

DOCKET NO. 990504-TI

In re: Application for certificate to provide interexchange telecommunications service by KMC Telecom III, Inc.

DOCKET NO. 990213-TI
ORDER NO. PSC-99-1299-PAA-TI
ISSUED: July 7, 1999

The following Commissioners participated in the disposition of this matter:

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

DOCUMENT NUMBER-DATE

08127 JUL-7 8

FPSC-RECORDS/REPORTING

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATES TO PROVIDE
INTEREXCHANGE TELECOMMUNICATIONS SERVICE

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.

The entities listed below have applied for certificates to provide Interexchange Telecommunications (IXC) service. Upon review of their applications, it appears that these entities have sufficient technical, financial, and managerial capability to provide such service, as required under Section 364.337(3), Florida Statutes. Accordingly, we hereby grant each of these entities the certificates depicted below, which shall authorize them individually to provide interexchange telecommunications services.

ENTITY'S NAME

CERTIFICATE NO.

CommcoTec Corporation	7088
The Free Network, L.L.C.	7090
Direct American Marketers, Inc. d/b/a Direct One	7091
KMC Telecom III, Inc.	7092

If this Order becomes final and effective, it will serve as each entity's certificate. It should, therefore, be retained by these entities as proof of certification.

IXCs are subject to Chapter 25-24, Florida Administrative Code, Part X, Rules Governing Telephone Service Provided by Interexchange Telephone Companies. IXCs are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

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Based on the foregoing,

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide interexchange telecommunications service, subject to the terms and conditions stated in the body of this Order. It is further

ORDERED that this Order will serve as each entity's certificate and should, therefore, be retained by these entities as proof of certification. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

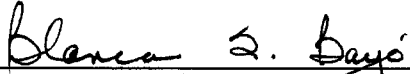
ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order, unless an appropriate petition, in the form provided by Rule 28-106.201, 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, these Dockets shall be closed.

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By ORDER of the Florida Public Service Commission, this 7th
day of July, 1999.



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 that is available under Section 120.57, 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 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. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, 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 28, 1999.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

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.

M E M O R A N D U M

July 7, 1999

RECEIVED-FPSC

99 JUL -7 AM 11:02

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (PEÑA) *KMP CB*
RE: DOCKET NOS. 990341-TI, 990359-TI, 990504-TI, 990213-TI -
APPLICATION FOR CERTIFICATE TO PROVIDE INTEREXCHANGE
TELECOMMUNICATION SERVICES

99-1299-PAA

Attached is an NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING
CERTIFICATES TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE,
to be issued in the above-referenced docket. (Number of pages in
order - 4)

KMP/anc
Attachment
cc: Division of Communications
I: 990213.kmp

ser 2

18f

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Date 7-18-99
 Number of Originals 4 Copies Per Original 17
 Requested By Marc Field

Item Presented _____
 Agenda For (Date) _____ Order No. 99-1999 In Docket No. 990341, 990359
 Notice of _____ For (Date) _____ In Docket No. 990504, 990718
 Other _____

Special Handling Instructions _____

Distribution/Mailing			
Number	Distributed/Mailed to	Number	Distribution/Mailed to
<u>17</u>	<u>Commission Offices</u>		
<u>4</u>	<u>Docket Mailing List - Mailed</u>		
<u>0</u>	<u>Docket Mailing List - Faxed</u>		

Note: Items must be mailed and/or returned within one working day after issue unless specified here.

Print Shop Verification
 Job Number 85 Verified By Marc Field
 Date and Time Completed 7/9 Job Checked For Correctness and Quality (Initial) _____

Mail Room Verification
 Date Mailed _____ Verified by _____