

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for
certificate to provide
interexchange telecommunications
service by One Tel Inc.

DOCKET NO. 981536-TI
ORDER NO. PSC-99-2118-PAA-TI
ISSUED: October 25, 1999

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER DENYING CERTIFICATE 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.

One Tel Inc. filed an application for a Certificate of Public Convenience and Necessity to provide statewide Interexchange Telecommunications (IXC) service. The application lacked the required tariff information to have a complete application on file with this Commission. Our staff repeatedly contacted One Tel Inc. and requested that One Tel Inc. provide this information before the application could be processed.

On June 30, 1999, our staff received a request from the One Tel Inc.'s attorney to withdraw our staff's recommendation from the July 6, 1999, Agenda Conference. Further, One Tel Inc. informed our staff that the tariff would be provided in the very near future. As of the date of this vote, One Tel Inc. has failed to submit the required information. Since this docket was opened on

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November 5, 1998, we believe One Tel Inc. has had more than enough time to file a tariff. Therefore, we find that it is not in the public interest to grant a certificate, to provide interexchange telecommunications service, to One Tel Inc.

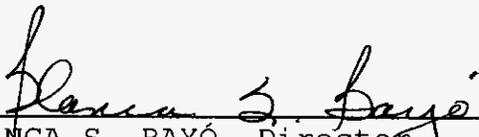
Based on the foregoing,

ORDERED by the Florida Public Service Commission that we hereby deny One Tel Inc.'s application to provide Interexchange Telecommunications service. 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" 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 25th day of October, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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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 November 15, 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.