

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation  
of certificate to provide  
interexchange telecommunications  
services.

Eclipse Telecommunications, Inc.

DOCKET NO. 991597-TI

ORDER NO. PSC-99-2311-PAA-TI

ISSUED: December 2, 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 CANCELING INTEREXCHANGE  
TELECOMMUNICATIONS 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.

Eclipse Telecommunications, Inc. (Eclipse), holder of  
Interexchange Telecommunications Certificate (IXC) of Public  
Convenience and Necessity No. 3528, has requested the cancellation  
of IXC Certificate No. 3528. Eclipse has complied with the  
provision of Rule 25-24.474(2), Florida Administrative Code, by  
providing adequate notice in writing of its request for  
cancellation of its IXC certificate and by submitting its  
regulatory assessment fees (RAFs) for 1998. Accordingly, we find  
it appropriate to cancel IXC Certificate No. 3528, effective  
October 13, 1999.

DOCUMENT NUMBER-DATE

14665 DEC-2 99

1999 PERIODIC REPORTING

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Eclipse shall return its certificate to this Commission. In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for 1999 will be mailed to Eclipse. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for 1999 shall relieve Eclipse from its obligation to pay RAFs for 1999.

Based on the foregoing, it is

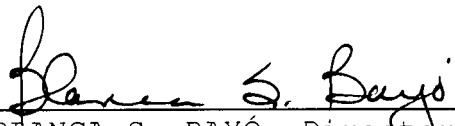
ORDERED by the Florida Public Service Commission that Eclipse Telecommunications, Inc.'s Certificate No. 3528 to provide Interexchange Telecommunications services is hereby canceled, effective October 13, 1999. It is further

ORDERED that Eclipse Telecommunications, Inc. shall return its certificate to this Commission and remit Regulatory Assessment Fees for 1999. 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, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 2nd day of December, 1999.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

KMP

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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 December 23, 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.

MEMORANDUM

RECEIVED-FPSC

November 30, 1999

99 DEC -1 PM 2:31

RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *KMP/ak*

RE: DOCKET NO. 991597-TI - REQUEST FOR CANCELLATION OF  
CERTIFICATES TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS  
SERVICES.

2311-PAA

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER  
CANCELLING INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE, to be  
issued in the above-referenced docket. (Number of pages in order  
- 3)

KMP/anc  
Attachment  
cc: Division of Communications  
I: 991597.kmp

*pg 1*

*faxed = 11/0.  
mailed - -*