

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation  
of Alternative Local Exchange  
Telecommunications Certificate  
No. 4797 by  
Access Network Services, Inc.,  
effective 12/6/99.

DOCKET NO. 991856-TX

ORDER NO. PSC-00-0140-PAA-TX  
ISSUED: January 20, 2000

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 CANCELLING ALTERNATIVE LOCAL EXCHANGE  
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.

Access Network Services, Inc. (Access Network), holder of Alternative Local Exchange Telecommunications Certificate (ALEC) of Public Convenience and Necessity No. 4797, has requested the cancellation of ALEC Certificate No. 4797. Access Network has complied with the provision of Rule 25-24.820(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its ALEC certificate and by submitting its regulatory assessment fees (RAFs) for 1998. Accordingly, we find it appropriate to cancel ALEC Certificate No. 4797, effective December 6, 1999.

Access Network shall return its certificate to this Commission. In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment

DOCUMENT NUMBER-DATE

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Fee of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for 1999 has been mailed to Access Network. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the year 1999 shall relieve Access Network from its obligation to pay RAFs for 1999.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Access Network Services, Inc.'s Certificate No. 4797 to provide Alternative Local Exchange Telecommunications services is hereby cancelled, effective December 6, 1999. It is further

ORDERED that Access Network Services, Inc. shall return its certificate to this Commission and remit Regulatory Assessment Fees for the year 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 20th day of January, 2000.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( 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 February 10, 2000.

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.