

M E M O R A N D U M

July 7, 2000

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00 JUL 10 AM 10:58  
RECORDS AND REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *kmp BIL*

RE: DOCKET NO. 000687-TI - REQUEST BY U.S. REPUBLIC COMMUNICATIONS, INC. (HOLDER OF IXC CERTIFICATE NO. 4836) FOR APPROVAL OF PURCHASE OF CERTAIN ASSETS BY ALLIANCE GROUP SERVICES, INC. (HOLDER OF IXC CERTIFICATE NO. 5765), CANCELLATION OF CERTIFICATE NO. 4836, AND NAME CHANGE ON CERTIFICATE 5765 TO ALLIANCE GROUP SERVICES, INC. D/B/A U.S. REPUBLIC COMMUNICATIONS, INC.

*1246-PAA*

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER APPROVING PURCHASE OF CERTAIN ASSETS CANCELLING INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE AND APPROVING NAME CHANGE ON INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE, to be issued in the above-referenced docket. (Number of pages in order - 5)

KMP/anc  
Attachment  
cc: Division of Regulatory Oversight (Pruitt)  
I: 000687.kmp

*2f*

*Doc # 08274-00*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by U.S. Republic Communications, Inc. (holder of IXC Certificate No. 4836) for approval of purchase of certain assets by Alliance Group Services, Inc. (holder of IXC Certificate No. 5765), cancellation of Certificate No. 4836, and name change on Certificate 5765 to Alliance Group Services, Inc. d/b/a U.S. Republic Communications, Inc.

DOCKET NO. 000687-TI  
ORDER NO. PSC-00-1240-PAA-TI  
ISSUED: July 10, 2000

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER APPROVING PURCHASE OF CERTAIN ASSETS CANCELLING  
INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE AND APPROVING NAME  
CHANGE ON 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.

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.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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By letter dated January 18, 2000, U.S. Republic Communications, Inc. (U.S. Republic) and Alliance Group Services, Inc. (Alliance Group) filed with this Commission an application for approval of purchase of certain assets of U.S. Republic by Alliance Group. Alliance Group has stated that the transaction will be virtually transparent to its customers in Florida and it will not affect the services being provided.

U.S. Republic is the holder of Interexchange Telecommunications (IXC) Certificate No. 4836. Alliance Group is the holder of IXC Certificate No. 5765. U.S. Republic and Alliance Group further requested the cancellation of Certificate No. 4836, and a name change on Certificate No. 5765 to Alliance Group Services, Inc. d/b/a U.S. Republic Communications, Inc.

In accordance with our authority under Section 364.33, Florida Statutes, to approve the acquisition or transfer of majority organizational control or controlling stock ownership of a telecommunications company providing service in Florida, we have reviewed the Petition of U.S. Republic and Alliance Group, and find it appropriate to approve it. We have based our review and decision upon an analysis of the public's interest in efficient, reliable telecommunications service. Our decision does not address the potential impact of the transfer on the competitive market in Florida, or on the companies' or their competitors' interests. We emphasize, however, that our approval of the Petition pursuant to our authority under Section 364.33, Florida Statutes, does not preclude us from addressing any of our concerns that may arise regarding this transaction to the appropriate federal or state agencies.

U.S. Republic 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 the year 1999. Accordingly, we find it appropriate to cancel IXC Certificate No. 4836, effective date of issuance of the Consummating Order.

U.S. Republic 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 the year 2000 will be mailed to U.S. Republic. Neither the cancellation of its certificate nor the

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failure to receive a RAFs Return notice for the year 2000 shall relieve U.S. Republic from its obligation to pay RAFs for the year 2000.

Upon review of the Department of State, Division of Corporations' records, it appears that Alliance Group has properly registered the fictitious name. Accordingly, we find it appropriate to amend Certificate No. 5765 to reflect the new operating name. This Order will serve as Alliance Group d/b/a U.S. Republic Communications, Inc.'s amended IXC Certificate of Public Convenience and Necessity No. 5765. Alliance Group d/b/a U.S. Republic Communications, Inc. should retain this Order as evidence of the name change.

Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that U.S. Republic Communications, Inc. and Alliance Group Services, Inc.'s request for approval of purchase of certain assets of U.S. Republic Communications, Inc. by Alliance Group Services, Inc. is hereby approved. It is further

ORDERED that U.S. Republic Communications, Inc.'s Certificate No. 4836 to provide Interexchange Telecommunications services is hereby canceled, effective date of issuance of the Consummating Order. It is further

ORDERED that U.S. Republic Communications, Inc. shall return its certificate to this Commission and remit Regulatory Assessment Fees for the year 2000. It is further

ORDERED that the request by Alliance Group Services, Inc. to change the name on Certificate No. 5765 from Alliance Group Services, Inc. to Alliance Group Services, Inc. d/b/a U.S. Republic Communications, Inc. is hereby approved. It is further

ORDERED that this Order will serve as Alliance Group Services, Inc. d/b/a U.S. Republic Communications, Inc.'s amended certificate and that this Order should be retained as evidence of the name change. 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

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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 10th day of July, 2000.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( 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 July 31, 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.