

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for  
interexchange telecommunications  
services.

OnFiber Carrier Services, Inc.  
Telergy Network Services, Inc.

DOCKET NO. 000517-TI

DOCKET NO. 000512-TI

ORDER NO. PSC-00-1409-PAA-TI

ISSUED: August 1, 2000

The following Commissioners participated in the disposition of  
this matter:

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

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

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.

DOCUMENT NUMBER-DATE

09292 AUG-18

FPSC-RECORDS/REPORTING

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<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>
OnFiber Carrier Services, Inc.	7522
Telergy Network Services, Inc.	7491

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. IXC's are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed to each of the entities listed above. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice shall relieve any of these entities from its obligation to pay RAFs.

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

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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.

By ORDER of the Florida Public Service Commission, this 1st day of August, 2000.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

FRB

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.

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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 August 22, 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.