

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of
assignment of existing
Interexchange Telecommunications
Certificate No. 3567 from BN1
Telecommunications, Inc. to
First Communications, LLC.

DOCKET NO. 000614-TI
ORDER NO. PSC-00-2119A-PAA-TI
ISSUED: January 11, 2001

AMENDATORY ORDER

BY THE COMMISSION:

On November 7, 2000, we issued Order No. PSC-00-2119-PAA-TI, which was consummated by Order No. PSC-00-2291-CO-TI. Order No. PSC-00-2119-PAA-TI was issued to approve the assignment of Interexchange Telecommunications Certificate (IXC) No. 3567 from BN1 Telecommunications, Inc. (BN1) to First Communications, LLC (First Communications). However, due to a scrivener's error, the body of Order No. PSC-00-2119-PAA-TI inadvertently reflected the incorrect language for this type of transaction. Therefore, Order No. PSC-00-2119-PAA-TI is of no effect and the instant Order is being issued in its place as set forth below:

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.

BN1 and First Communications have complied with Rule 25-24.473, Florida Administrative Code, regarding the assignment of IXC certificates. We find the assignment to be in the public interest and, therefore, approve the assignment. IXC Certificate No. 3567 shall be amended to reflect that First Communications is the holder of this certificate.

If this Order becomes final and effective, it shall serve as First Communications' certificate. First Communications should, therefore, retain this Order as proof of certification.

DOCUMENT NUMBER-DATE

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TRAC-RECORDS/REPORTING

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IXC providers are subject to Chapter 25-24, Florida Administrative Code, Part X, Rules Governing Telephone Service Provided by Interexchange Telephone Companies. IXC providers 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 both BN1 and First Communications. Neither the cancellation of the certificate nor the failure to receive a RAFs Return notice shall relieve BN1 and First Communications from their obligation to pay RAFs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request for assignment of Interexchange Telecommunications Certificate No. 3567 from BN1 Telecommunications, Inc. to First Communications, LLC, is hereby approved. It is further

ORDERED that Interexchange Telecommunications Certificate No. 3567 shall be amended to reflect that First Communications, LLC, is the holder of this certificate. It is further

ORDERED that First Communications, LLC's Interexchange Telecommunications Certificate No. 3567 is subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as First Communications, LLC's certificate and should be retained by First Communications, LLC as proof of certification. It is further

ORDERED that BN1 Telecommunications, Inc. shall remit Regulatory Assessment Fees for the year 2000. It is further

ORDERED that Order No. PSC-00-2119-PAA-TI is superseded by this Order in its entirety.

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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, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 11th day of January, 2001.

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.

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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 1, 2001.

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.