

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation  
of IXC Certificate No. 4403 by  
Interoute-Retail, Inc.,  
effective January 15, 2001.

DOCKET NO. 001730-TI  
ORDER NO. PSC-01-0259-PAA-TI  
ISSUED: January 30, 2001

The following Commissioners participated in the disposition of  
this matter:

E. LEON JACOBS, JR., Chairman  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CANCELLING 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.

Interoute-Retail, Inc. (Interoute-Retail), holder of Interexchange Telecommunications Certificate (IXC) of Public Convenience and Necessity No. 4403, has requested the cancellation of IXC Certificate No. 4403. Interoute-Retail 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. 4403, effective January 15, 2001. Interoute-Retail shall return to this Commission the Order granting authority to provide IXC services.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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The Commission is vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAFs of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for the year 2000 has been mailed to Interoute-Retail. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the years 2000 and 2001 shall relieve Interoute-Retail from its obligation to pay RAFs for the years 2000 and 2001.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Interoute-Retail, Inc.'s Certificate No. 4403 to provide Interexchange Telecommunications services is hereby canceled, effective January 15, 2001. It is further

ORDERED that Interoute-Retail, Inc. shall return to this Commission the Order granting authority to provide Interexchange Telecommunications services and remit Regulatory Assessment Fees for the years 2000 and 2001. 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.

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By ORDER of the Florida Public Service Commission, this 30th  
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 )

KMP

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 20, 2001.

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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.