

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation
of ALEC Certificate No. 7445 and
IXC Certificate No. 7376 by
BroadSpan Communications, Inc.
d/b/a Primary Network
Communications, Inc., effective
December 19, 2000.

DOCKET NO. 001807-TP
ORDER NO. PSC-01-0497-PAA-TP
ISSUED: February 27, 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 CANCELING ALTERNATIVE LOCAL EXCHANGE
TELECOMMUNICATIONS CERTIFICATE AND 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.

BroadSpan Communications, Inc. d/b/a Primary Network Communications, Inc. (BroadSpan), holder of Alternative Local Exchange Telecommunications Certificate (ALEC) of Public Convenience and Necessity No. 7445, and Interexchange Telecommunications Certificate (IXC) of Public Convenience and Necessity No. 7376 has requested the cancellation of ALEC Certificate No. 7445 and IXC Certificate No. 7376. BroadSpan has complied with the provision of Rules 25-24.474(2) and 25-24.820(2), Florida Administrative Code, by providing adequate notice in

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writing of its request for cancellation of its ALEC and IXC certificates and by submitting its Regulatory Assessment Fees (RAFs) for the year 1999. Accordingly, we find it appropriate to cancel ALEC Certificate No. 7445, and IXC Certificate No. 7376, effective December 19, 2000. BroadSpan shall return to this Commission the Orders granting authority to provide ALEC and IXC services.

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 BroadSpan. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the year 2000 shall relieve BroadSpan from its obligation to pay RAFs for the year 2000.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that BroadSpan Communications, Inc. d/b/a Primary Network Communications, Inc. 's Certificate No. 7445 to provide Alternative Local Exchange Telecommunications services and Certificate No. 7376 to provide Interexchange Telecommunications services is hereby canceled, effective December 19, 2000. It is further

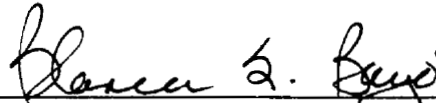
ORDERED that BroadSpan Communications, Inc. d/b/a Primary Network Communications, Inc. shall return to this Commission the Orders granting authority to provide Alternative Local Exchange Telecommunications services and Interexchange Telecommunications services, and remit Regulatory Assessment Fees for the year 2000. 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

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ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 27th day of February, 2001.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

JKF

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 March 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.