

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of
inhouse corporation
reorganization whereby ALEC
Certificate No. 7611 and AAV
Certificate No. 7612 will be
transferred and name changed
from Enron Broadband Services,
Inc. to Enron
Telecommunications, Inc., both
subsidiaries of Enron
Corporation.

DOCKET NO. 010203-TP
ORDER NO. PSC-01-0680-PAA-TP
ISSUED: March 20, 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 APPROVING IN-HOUSE CORPORATE REORGANIZATION
AND TRANSFER OF AND NAME CHANGE ON
ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS
AND ALTERNATIVE ACCESS VENDOR CERTIFICATES

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

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control or controlling stock ownership, without prior approval from this Commission.

By letter dated February 8, 2001, Enron Broadband Services, Inc. (Enron Broadband) and Enron Telecommunications, Inc. (Enron Telecommunications), both subsidiaries of Enron Corporation, filed with this Commission an application for approval of in-house corporate reorganization whereby Alternative Local Exchange Telecommunications (ALEC) Certificate No. 7611 and Alternative Access Vendor (AAV) Certificate No. 7612 will be transferred and the name thereon changed from Enron Broadband to Enron Telecommunications.

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 Enron Broadband and Enron Telecommunications, 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.

Enron Broadband and Enron Telecommunications have complied with Rule 25-24.815, Florida Administrative Code, regarding the transfer of ALEC certificates. We find the transfer to be in the public interest and, therefore, approve the transfer. ALEC Certificate No. 7611 and AAV Certificate No. 7612 shall be amended to reflect that Enron Telecommunications is the holder of each certificate.

If this Order becomes final and effective, it shall serve as Enron Telecommunications' certificates. Enron Telecommunications should, therefore, retain this Order as proof of certification and as evidence of the name change.

AAV providers are subject to Chapter 25-24, Florida Administrative Code, Part XIV, Rules Governing Alternative Access Vendor services, as well as the terms and conditions of Order No. 24877, issued August 2, 1991. AAV providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapters 25-4, Florida Administrative Code.

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ALEC providers are subject to Chapter 25-24, Florida Administrative Code, Part XV, Rules Governing Telecommunications Service Provided by Alternative Local Exchange Companies. ALEC providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapters 25-4, Florida Administrative Code.

Pursuant to Section 364.337(2), Florida Statutes, basic telecommunications service provided by an ALEC "... must include access to operator services, "911" services, and relay services for the hearing impaired." Further, Section 364.337(2), requires that an ALEC's "911" service "... shall be provided at a level equivalent to that provided by the local exchange telecommunications company serving the same area."

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 Enron Broadband and Enron Telecommunications. Neither the transfer of the certificate nor the failure to receive a RAFs Return notice shall relieve Enron Broadband and Enron Telecommunications from their obligation to pay RAFs.

Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that Enron Broadband Services, Inc. and Enron Telecommunications, Inc.'s request for approval of in-house corporate reorganization whereby Alternative Local Exchange Telecommunications Certificate No. 7611 and Alternative Access Vendor Certificate No. 7612 will be transferred and the name thereon changed from Enron Broadband Services, Inc. to Enron Telecommunications, Inc. is hereby approved. It is further

ORDERED that Alternative Local Exchange Telecommunication Certificate No. 7611 and Alternative Access Vendor Certificate No. 7612 shall be amended to reflect that Enron Telecommunications, Inc., is the holder of each certificate. It is further

ORDERED that Enron Telecommunications, Inc.'s Alternative Local Exchange Telecommunication Certificate No. 7611 and

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Alternative Access Vendor Certificate No. 7612 are subject to the terms and conditions set forth in the body of this Order. It is further

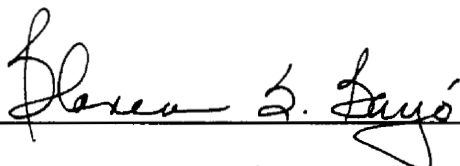
ORDERED that this Order shall serve as Enron Telecommunications, Inc.'s certificate and should be retained by Enron Telecommunications, Inc. as proof of certification and as evidence of the name change. It is further

ORDERED that Enron Broadband Services, Inc. shall remit Regulatory Assessment Fees for the year 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.

By ORDER of the Florida Public Service Commission this 20th Day of March, 2001.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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 April 10, 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.