

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of
Alternative Local Exchange
Telecommunications Certificate
No. 7238 issued to Advanced
Digital Information Systems,
Inc. for violation of Rule 25-
4.0161, F.A.C., Regulatory
Assessment Fees;
Telecommunications Companies.

DOCKET NO. 001493-TX
ORDER NO. PSC-01-0914-FOF-TX
ISSUED: April 9, 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

ORDER GRANTING VOLUNTARY CANCELLATION OF
ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS CERTIFICATE

BY THE COMMISSION:

Advanced Digital Information Systems, Inc. (Advanced Digital Information) currently holds Certificate of Public Convenience and Necessity No. 7238, issued by the Commission on December 2, 1999, authorizing the provision of Alternative Local Exchange Telecommunications service. The Division of Administration advised our staff by memorandum that Advanced Digital Information had not paid the 1999 Regulatory Assessment Fees (RAFs). Also, accrued statutory penalties and interest charges for late RAFs payments for the year 1999 had not been paid. Advanced Digital Information was scheduled to remit its RAFs by February 28, 2000.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule

DOCUMENT NUMBER-DATE

04346 APR-95

FPSC-RECORDS/REPORTING

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25-4.0161 (2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing Alternative Local Exchange Telecommunications service.

After this docket was opened, Advanced Digital Information paid the 1999 and 2000 RAFs, including accrued statutory penalties and interest charges, and requested voluntary cancellation of its certificate. Advanced Digital Information has complied with the provision of Rule 25-24.820(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its certificate and by submitting its Regulatory Assessment Fees. Accordingly, we find it appropriate to cancel Alternative Local Exchange Telecommunications Certificate No. 7238, effective December 29, 2000. Advanced Digital Information shall return to this Commission the Order granting authority to provide Alternative Local Exchange Telecommunications services. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.335, Florida Statutes.

Based on the foregoing, it is

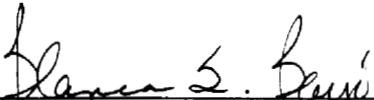
ORDERED by the Florida Public Service Commission that Advanced Digital Information Systems, Inc.'s Certificate No. 7238 to provide Alternative Local Exchange Telecommunications services is hereby canceled. It is further

ORDERED that Advanced Digital Information Systems, Inc. shall return to this Commission the Order granting authority to provide Alternative Local Exchange Telecommunications services. It is further

ORDERED that this Docket is closed.

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By ORDER of the Florida Public Service Commission this 9th
day of April, 2001.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(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 or judicial review of Commission orders that is available under Sections 120.57 or 120.68, 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 or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.