

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of transfer of and name change on IXC Certificate No. 7695 and ALEC Certificate No. 7696 from S.F.M.&T. Inc. to Super-Tel.Com, Inc.

DOCKET NO. 020261-TP
ORDER NO. PSC-02-0767-PAA-TP
ISSUED: June 6, 2002

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF AND NAME CHANGE ON
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.

On March 22, 2002, S.F.M.&T. Inc. (S.F.M.&T.) filed with this Commission a request for transfer of and name change on Alternative Local Exchange Telecommunications (ALEC) Certificate No. 7696 and Interexchange Telecommunications (IXC) Certificate No. 7695 from S.F.M.&T. to Super-Tel.Com, Inc. (Super-Tel.Com).

S.F.M.&T. has complied with Rule 25-24.815, Florida Administrative Code, regarding the transfer of ALEC certificates and with Rule 25-24.473, Florida Administrative Code, regarding the transfer of IXC Certificates. We find the transfers to be in the public interest and, therefore, approve the transfer. ALEC

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Certificate No. 7696 and IXC Certificate No. 7695 shall be amended to reflect that Super-Tel.Com is the holder of these certificates.

If this Order becomes final and effective, it shall serve as Super-Tel.Com's certificates. Super-Tel.Com should, therefore, retain this Order as proof of certification and as evidence of the name change. We are vested with jurisdiction over this matter pursuant to Sections 364.335, 364.337 and 364.345, Florida Statutes.

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 Chapter 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."

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 will 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. Two RAFs Return notices will be mailed to both S.F.M.&T. and Super-Tel.Com for payment by January 30, 2003. Neither the transfer of the certificates nor the failure to receive RAFs Return notices shall relieve S.F.M.&T. and Super-Tel.Com from their obligation to pay RAFs for the year 2002.

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request for transfer of and name change on Alternative Local Exchange Telecommunications Certificate No. 7696 and on Interexchange Telecommunications Certificate No. 7695 from S.F.M.&T. Inc. to Super-Tel.Com, Inc. is hereby approved. It is further

ORDERED that Alternative Local Exchange Telecommunications Certificate No. 7696 and Interexchange Telecommunications Certificate No. 7695 shall be amended to reflect that Super-Tel.Com, Inc. is the holder of these certificates. It is further

ORDERED that Super-Tel.Com, Inc's Alternative Local Exchange Telecommunications Certificate No. 7696 and Interexchange Telecommunications Certificate No. 7695 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 Super-Tel.Com, Inc's certificates and should be retained by Super-Tel.Com, Inc. as proof of certification and as evidence of the name change. It is further


ORDERED that both S.F.M.&T. Inc. and Super-Tel.Com, Inc. shall remit Regulatory Assessment Fees for the year 2002. 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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" 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 6th Day
of June, 2002.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
And Administrative Services

(S E A L)

JAE

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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 27, 2002.

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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/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.