

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

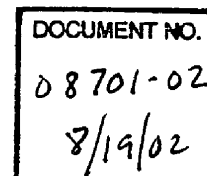
In re: Request for approval of transfer of substantially all assets, including customer contracts, of e.spire operating entities to Xspedius operating entities; application for transfer of ALEC Certificate 4722 from American Communication Services of Jacksonville, Inc. d/b/a e.spire to Xspedius Management Co. of Jacksonville, LLC, for transfer of ALEC Certificate No. 5474 from ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. to Xspedius Management Co. Switched Services, LLC, and for transfer of IXC Certificate No. 5339 from ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. to Xspedius Management Co. Switched Services, LLC, and request for waiver of carrier selection requirement of Rule 25-4.118, F.A.C.

DOCKET NO. 020535-TP
ORDER NO. PSC-02-1126-CO-TP
ISSUED: August 19, 2002

CONSUMMATING ORDER

BY THE COMMISSION:

By Order No. PSC-02-1002-PAA-TP, issued July 25, 2002, as amended by Order No. PSC-02-1002A-PAA-TP, issued August 1, 2002, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order, in regard to the above mentioned docket. It is, therefore,



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ORDERED by the Florida Public Service Commission that Order No. PSC-02-1002-PAA-TP, as amended by Order No. PSC-02-1002A-PAA-TP, has become effective and final. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 19th day of August, 2002.

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

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

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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 judicial review of Commission orders that is available pursuant to Section 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 judicial review will be granted or result in the relief sought.

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Any party adversely affected by the Commission's final action in this matter may request 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 the Commission Clerk and Administrative Services 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.