

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for
certificate to provide
interexchange telecommunications
service by Buyers United
International, Inc.

DOCKET NO. 020128-TI
ORDER NO. PSC-02-1542-PAA-TI
ISSUED: November 12, 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 GRANTING CERTIFICATE TO PROVIDE
INTEREXCHANGE TELECOMMUNICATIONS SERVICES

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.

I. BACKGROUND

On July 14, 1998, Buyers United International, Inc. (Buyers)
was granted Certificate No. 5669 to provide interexchange
telecommunications (IXC) service in Florida. On May 5, 2000, the
certificate was canceled in Docket No. 991826-TI. The company
failed to respond to Order No. PSC-00-0821-PAA-TI which required
payment of the past due Regulatory Assessment Fees (RAFs) with
statutory penalties and interest and imposed a \$500 fine.

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On February 15, 2002, Buyers submitted an application for a new certificate. On August 26, 2002, the Commission received the company's payment of \$778.20 for the 1998, 1999, and 2000 RAFs plus the statutory late fees and the \$500 fine. The company also submitted a letter of apology and explanation.

The Commission is vested with jurisdiction in this matter pursuant to Sections 364.335 and 364.337, Florida Statutes.

II. ANALYSIS AND DECISION

Section 364.337(3), Florida Statutes, reads:

The commission shall grant a certificate of authority to provide intrastate interexchange telecommunications service upon a showing that the applicant has sufficient technical, financial, and managerial capability to provide such service in the geographic area proposed to be served.

Buyers filed an application with us on February 15, 2002, to offer intrastate interexchange telecommunications service in Florida. A review of the application indicates that the company appears to meet the requirements of Section 364.337(3), Florida Statutes.

Buyers' new application indicates that the company has undergone extensive managerial and personnel restructuring. The company has also hired regulatory consultants to assist with future regulatory matters. The letter submitted August 26, 2002 states, in part:

Given these circumstances, the company assures you that, in the future, they will comply with the Commission's filing and reporting requirements, as well as any other Commission imposed requirements.

Although Buyers' certificate was canceled in 2000, we accept the company's representation that these were oversights which will not occur again. Therefore, Buyers United International, Inc. is granted a certificate to provide IXC service in Florida.

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Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee of \$50 if the certificate is active during any portion of the calendar year. A Regulatory Assessment Fee Return notice will be mailed each December to Buyers for payment in January.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Certificate No. 8231 is granted to Buyers United International, Inc., which shall authorize it to provide interexchange telecommunications services, subject to the terms and conditions set forth in the body of this Order. It is further

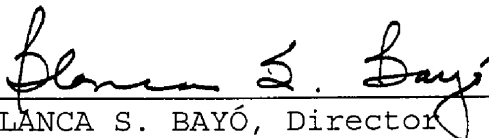
ORDERED that this Order shall serve as Buyers United International, Inc.'s certificate and should be retained by Buyers United International, Inc. as proof of certification. It is further

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 12th
Day of November, 2002.



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

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the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 3, 2002.

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.