

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for
certificate to provide
alternative local exchange
telecommunications service by
FeroNetworks, Inc.

DOCKET NO. 030041-TX
ORDER NO. PSC-03-0966-FOF-TX
ISSUED: August 26, 2003

The following Commissioners participated in the disposition of
this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON

ORDER VACATING ORDER NO. PSC-03-0693-PAA-TX

BY THE COMMISSION:

On January 9, 2003, a request was filed by FeroNetworks, Inc., for an Alternative Local Exchange Telecommunications Service (ALEC) Certificate. By Order No. PSC-03-0693-PAA-TX issued on June 9, 2003, we granted the company ALEC Certificate No. 8347. However, by letters dated May 30 and June 22, 2003, the company asked to withdraw its original application for ALEC certification. Therefore, Order No. PSC-03-0693-PAA-TX, was not consummated in view of the company's May 30 and June 22, 2003 letters. Prior to the enacted Tele-Competition Innovation and Infrastructure Enhancement Act, which took effect on May 23, 2003, Competitive Local Exchange Companies were known as Alternative Local Exchange Companies. Since the matter initially conducted at our May 20, 2003 Agenda Conference, we have continued to use the term Alternative Local Exchange Company in this order.

We are vested with jurisdiction in this matter pursuant to Section 364.337, Florida Statutes.

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Since we have received a request to withdraw FeroNetworks, Inc.'s Application to Provide Alternative Local Exchange Telecommunications (ALEC) services prior to the issuance of a Consummating Order in this Docket, we hereby vacate Order No. PSC-03-0693-PAA-TX.

ORDERED by the Florida Public Service Commission that Order No. PSC-03-0693-PAA-TX is hereby vacated. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 26th Day of August, 2003.

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)

VSM

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 the Commission Clerk and Administrative Services, 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 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.