

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Request for cancellation of CLEC  
Certificate No. 7641 by Broadwing Local  
Services Inc., effective 11/18/03.

DOCKET NO. 031112-TX

In re: Request for cancellation of CLEC  
Certificate No. 7974 by CityNet Telecom, Inc.,  
effective 12/15/03.

DOCKET NO. 031108-TX

ORDER NO. PSC-04-0139-PAA-TX

ISSUED: February 11, 2004

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CANCELING ALTERNATIVE LOCAL EXCHANGE  
TELECOMMUNICATIONS CERTIFICATES

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.

The entities listed below have requested the cancellation of their Alternative Local Exchange Telecommunications (CLEC) certificates. Each entity has complied with the provision of Rule 25-24.820(2), Florida Administrative Code, by providing adequate notice in writing of their request for cancellation of their CLEC certificates and by submitting their Regulatory Assessment Fees (RAFs) for the year 2003. Accordingly, we find it appropriate to cancel the certificates depicted below, effective on the dates shown. We are vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

DOCUMENT NUMBER-DATE

01926 FEB 11 04

FPSC-COMMISSION CLERK

| <u>ENTITY'S NAME</u>          | <u>CERTIFICATE NO.</u> | <u>EFFECTIVE DATE</u> |
|-------------------------------|------------------------|-----------------------|
| Broadwing Local Services Inc. | 7641                   | 11/18/03              |
| CityNet Telecom, Inc.         | 7974                   | 12/15/03              |

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Competitive Local Exchange Telecommunications services certificates listed herein are hereby canceled, effective on the dates shown above. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. 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, these dockets shall be closed.

By ORDER of the Florida Public Service Commission this 11th day of February, 2004.

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

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

LHD

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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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 3, 2004.

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.