

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Acknowledgment of merger of SBC Communications Inc. and AT&T Communications of the Southern States, LLC d/b/a AT&T, holder of pay telephone Certificate No. 8019.	DOCKET NO. 050164-TC ORDER NO. PSC-05-0373-PAA-TC ISSUED: April 7, 2005
--	---

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON  
LISA POLAK EDGAR

NOTICE OF PROPOSED AGENCY ACTION  
ORDER ACKNOWLEDGING MERGER AND APPROVING TRANSFER OF CONTROL OF  
PAY TELEPHONE PROVIDER

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.

Section 364.33, Florida Statutes, provides that a person may not acquire ownership or control of any telecommunications facility, or any extension thereof for the purpose of providing telecommunications services to the public, including the acquisition, transfer, or assignment of majority organizational control or controlling stock ownership, without prior approval from this Commission.

By letter dated February 28, 2005, SBC Communications Inc. (SBC) and AT&T Communications of the Southern States, LLC d/b/a AT&T (AT&T) notified this Commission of the merger of AT&T and SBC. AT&T is the holder of Pay Telephone (PATS) Certificate No. 8019. The companies state that the transaction will be seamless and transparent to AT&T's pay telephone customers, and that as a result of the merger, AT&T will continue to own and control PATS Certificate No. 8019. AT&T will continue to operate under its existing tariff and certificated name. However, as a result of the merger, AT&T will become a wholly-owned subsidiary of SBC.

DOCUMENT NUMBER-DATE

03440 APR-7 05

FLORIDA PUBLIC SERVICE COMMISSION

Thus, in accordance with our authority under Section 364.33, Florida Statutes, to approve the acquisition or transfer of majority organizational control or controlling stock ownership of a telecommunications company providing pay telephone service in Florida, we have reviewed the transfer of control of AT&T Communications of the Southern States, LLC d/b/a AT&T, holder of Pay Telephone Certificate No. 8019, which results from the merger of AT&T with SBC Communications Inc., and it is hereby approved. Our review and decision are based upon an analysis of the public's interest in efficient, reliable telecommunications service.

Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that the merger of SBC Communications Inc. and AT&T Communications of the Southern States, LLC d/b/a AT&T is hereby acknowledged, and the resulting transfer of control of AT&T Communications of the Southern States, LLC d/b/a AT&T, holder of PATS Certificate No. 8019, is hereby approved. 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.

By ORDER of the Florida Public Service Commission this 7th day of April, 2005.

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 )

JPR

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 April 28, 2005.

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.