

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Request for approval of name change on CLEC Certificate No. 8132, effective May 24, 2005, from Utilities Commission, New Smyrna Beach d/b/a Sparks Communications to Utilities Commission, New Smyrna Beach d/b/a New Smyrna Communications.

DOCKET NO. 050396-TX
ORDER NO.PSC-05-0866-FOF-TX
ISSUED: August 29, 2005

ORDER ACKNOWLEDGING NAME CHANGE

BY THE COMMISSION:

By letter dated May 24, 2005, Utilities Commission, New Smyrna Beach d/b/a Sparks Communications holder of CLEC Certificate of Public Convenience and Necessity No. 8132, requested that Certificate No. 8132 be amended to reflect the inclusion of a fictitious name, Utilities Commission, New Smyrna Beach d/b/a New Smyrna Communications. Upon review of the Department of State, Division of Corporations' records, it appears that Utilities Commission, New Smyrna Beach has properly registered the fictitious name. Accordingly, we find it appropriate to amend Certificate No. 8132 to reflect the new operating name.

This Order will serve as Utilities Commission, New Smyrna Beach d/b/a New Smyrna Communications amended CLEC Certificate of Public Convenience and Necessity No. 8132. Utilities Commission, New Smyrna Beach d/b/a New Smyrna Communications should retain this Order as evidence of the name change. We are vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request by Utilities Commission to change the name on Certificate No. 8132 from Utilities Commission, New Smyrna Beach d/b/a Sparks Communications to Utilities Commission, New Smyrna Beach d/b/a New Smyrna Communications is hereby acknowledged. It is further

ORDERED that this Order will serve as Utilities Commission, New Smyrna Beach d/b/a New Smyrna Communications amended certificate and that this Order should be retained as evidence of the name change. It is further

ORDERED that this change will be effective upon issuance of this Order. It is further

ORDERED that this docket is hereby closed.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 29th day of August, 2005.

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

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(SEAL)

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 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.