

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application of TelCove of Jacksonville, Inc., holder of IXC Registration No. TJ346 and AAV Certificate No. 2973; TelCove of Florida, Inc., holder of AAV Certificate No. 2978; and TelCove Investment, LLC, holder of IXC Registration No. TJ206 and CLEC Certificate No. 6056, for transfer of Florida operations to TelCove Operations, Inc.; request for transfer of CLEC Certificate No. 6056 from TelCove Investment, LLC to TelCove Operations, Inc.; request for cancellation of AAV Certificate Nos. 2973 and 2978; acknowledgment of cancellation of IXC Registration Nos. TJ206 and TJ346; and acknowledgment of registration as an IXC and adoption of TelCove Investment, LLC's IXC tariff by TelCove Operations, Inc., effective on notification by companies that asset transfer has been completed.

DOCKET NO. 060785-TP  
ORDER NO. PSC-07-0440-PAA-TP  
ISSUED: May 21, 2007

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
MATTHEW M. CARTER II  
KATRINA J. McMURRIAN

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CANCELING ALTERNATIVE ACCESS VENDOR CERTIFICATE

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.

TelCove of Jacksonville, Inc. (TelCove), holder of Alternative Access Vendor (AAV) Certificate of Public Convenience and Necessity No. 2973, has requested the cancellation of

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AAV Certificate No. 2973. TelCove has complied with the provision of Rule 25-24.735(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its AAV certificate and by submitting its Regulatory Assessment Fees (RAFs) for the year 2006. Accordingly, we find it appropriate to cancel AAV Certificate No. 2973, effective upon notification that the asset transfers have been completed.. We are vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF if the certificate was active during any portion of the calendar year. A RAFs Return notice for the year 2007 will be mailed to TelCove for payment. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the year 2007 shall relieve TelCove from its obligation to pay RAFs for the year 2007.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that TelCove of Jacksonville, Inc.'s Certificate No. 2973 to provide Alternative Access Vendor services is hereby canceled, effective upon notification that the asset transfers have been completed.. It is further

ORDERED that TelCove of Jacksonville, Inc. shall remit Regulatory Assessment Fees for the year 2007. 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 Office of Commission Clerk, 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 remain open.

By ORDER of the Florida Public Service Commission this 21st day of May, 2007.



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ANN COLE  
Commission Clerk

( 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 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 Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 11, 2007.

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.