

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint request for waiver of carrier selection requirements of Rule 25-4.118, F.A.C., in transfer of long distance customers from STARTEC Global Operating Company (TK051) to Americatel Corporation d/b/a 1010 123 Americatel d/b/a 10-15-688 AMETEX d/b/a 1 800 3030 123 Americatel Collect (TJ049); and request for cancellation of IXC Registration No. TK051, effective on consummation of transaction, on or about March 31, 2008.

DOCKET NO. 080137-TI  
ORDER NO. PSC-08-0708-FOF-TI  
ISSUED: October 24, 2008

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman  
LISA POLAK EDGAR  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

ORDER VACATING PROPOSED AGENCY ACTION ORDER NO. PSC-08-0275-PAA-TI  
AND CONSUMMATING ORDER NO. PSC-08-0349-CO-TI IN REGARD TO THE JOINT  
REQUEST FOR WAIVER OF CARRIER SELECTION REQUIREMENTS OF RULE 25-  
4.118, F.A.C.

BY THE COMMISSION:

**I. Case Background**

On March 6, 2008, Americatel Corporation d/b/a 1010 123 Americatel d/b/a 10-15-688 AMETEX d/b/a 1 800 3030 123 Americatel Collect (Americatel) and STARTEC Global Operating Company (STARTEC) (collectively, the parties), submitted a joint request for a waiver of the carrier selection requirements of Rule 25-4.118, Florida Administrative Code, due to a pending corporate merger. This Commission approved the parties' request at the April 8, 2008 Agenda Conference. STARTEC also requested that its intrastate interexchange company (IXC) registration be canceled upon notification of the completion of the merger.

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FPSC-COMMISSION CLERK

On August 8, 2008, the parties notified us that they were unable to consummate the merger. STARTEC, therefore, requested that its IXC registration and tariff remain in effect until further notification from the company.

We are vested with jurisdiction in this matter pursuant to Sections 364.02 and 364.603, Florida Statutes.

**II. Analysis**


As noted in the case background, the parties were unable to consummate their planned merger. Their August 8, 2008 letter cited difficulties in the current credit market as the cause. As a result, the customers were not transferred. Therefore, we believe that this Commission should vacate Proposed Agency Action Order No. PSC-08-0275-PAA-TI and Consummating Order No. PSC-08-0349-CO-TI in regard to the joint request for waiver of carrier selection requirements of Rule 25-4.118, F.A.C., in transfer of long distance customers from STARTEC Global Operating Company to Americatel Corporation d/b/a 1010 123 Americatel d/b/a 10-15-688 AMETEX d/b/a 1 800 3030 123 Americatel Collect.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby vacate Proposed Agency Action Order No. PSC-08-0275-PAA-TI and Consummating Order No. PSC-08-0349-CO-TI in regard to the joint request for waiver of carrier selection requirements of Rule 25-4.118, F.A.C., in the transfer of long distance customers from STARTEC Global Operating Company to Americatel Corporation d/b/a 1010 123 Americatel d/b/a 10-15-688 AMETEX d/b/a 1 800 3030 123 Americatel Collect. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 24th day of October, 2008.

  
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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 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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.