

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: APPLICATION OF SOUTHERNNET, SYSTEMS, INC. FOR TRANSFER OF IXC CERTIFICATE NO. 126 FROM SOUTHLAND FIBERNET, INC.)))))))	DOCKET NO. 890840-TI ORDER NO. 22105 ISSUED: 10-30-89
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The following Commissioners participated in the disposition of this matter:

- MICHAEL McK. WILSON, Chairman
- THOMAS M. BEARD
- BETTY EASLEY
- GERALD L. GUNTER
- JOHN T. HERNDON

NOTICE OF PROPOSED AGENCY ACTION

ORDER GRANTING TRANSFER OF IXC CERTIFICATE NO. 126

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 formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

On June 28, 1989, SouthernNet Systems, Inc. applied for approval of its merger with Southland Fibernet, Inc. The applicant is a Virginia public service corporation and is engaged in the long distance telecommunications business in Virginia and other states. Southland Fibernet, Inc. is a Florida Corporation and holder of Commission Reseller Certificate No. 126.

As part of an internal corporate restructuring, SouthernNet Systems, Inc., intends to merge with Southland Fibernet, Inc., SouthernNet Systems, Inc., states that the actual operations of Southland Fibernet, Inc. will not be affected by the transaction, as all operations and customer services will continue uninterrupted. SouthernNet Systems, Inc., states that all customers will be notified of the change in name.

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In addition to the change in corporate organization and corporate name, SouthernNet Systems, Inc., registered under the fictitious name "SouthernNet USA" on September 4, 1989.

After having considered SouthernNet Systems, Inc.'s application, we believe the merger will enable more efficient service to be provided to Florida customers. Therefore, the merger of Southland Fibernet, Inc., into SouthernNet Systems, Inc., is approved.

The certificate transferred to SouthernNet Systems, Inc., will authorize it to operate as an interexchange telephone company providing long distance telecommunications service within the State of Florida using Certificate No. 126. The authority will be statewide according to Commission statutes and rules pertaining to the services identified in the applicant's tariff.

Based on the foregoing, it is hereby.

ORDERED that the application to merge Southland Fibernet, Inc. into SouthernNet Systems, Inc., is approved effective upon completion of the protest period, if no protest is received. It is further

ORDERED that Certificate No. 126, shall be transferred from Southland Fibernet, Inc., to SouthernNet Systems, Inc., effective upon completion of the protest period if no protest is received. The certificate transferred will authorize SouthernNet Systems, Inc., to operate as an interexchange telephone company providing long distance telecommunications service within the State of Florida using Certificate No. 126. The authority will be statewide according to Commission statutes and rules pertaining to the services identified in the applicant's tariff. It is further,

ORDERED that this docket shall be closed after the effective date of the proposed agency action order, and issuance of the consummating order.

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By ORDER of the Florida Public Service Commission,
this 30th day of OCTOBER, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

JSR

by: Kay Flynn
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on November 20, 1989.

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In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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 of the effective date 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.