

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of)	DOCKET NO. 900283-TI
majority organizational control of)	
NATIONAL TELEPHONE SERVICES, INC. to)	ORDER NO. 23053
TELESPHERE COMMUNICATIONS, INC.)	
)	ISSUED: 6-11-90

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF MAJORITY
ORGANIZATIONAL CONTROL

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

BACKGROUND

On April 11, 1990, National Telephone Services, Inc. (NTS) and Telesphere Communications, Inc. (Telesphere) filed a joint application for approval of the transfer of control of Certificate No. 2027 issued to NTS that will result from a transfer of majority organizational control of NTS to Telesphere. NTS has been certificated by this Commission since 1988. Telesphere is parent to Telesphere Network, Inc., which has also been certificated by this Commission since 1988. Telesphere intends to acquire NTS by purchasing all or a majority of the stock of NTS. NTS currently provides alternative operator service to university dormitories, hotels, hospitals and pay telephones. Initially, NTS customers will continue to be served pursuant to NTS's existing tariff. Eventually, Telesphere intends to combine the operations of NTS and Telesphere Network, Inc. At that time, NTS customers will be converted to Telesphere Network, Inc.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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Rule 25-24.473, Florida Administrative Code, requires applicants that want to sell, assign or transfer a certificate to supply the Commission with all the information that is required of an applicant seeking interexchange authority. Telesphere and NTS have met all the Rule's requirements for a transfer of control of a certificate. Therefore, we find it appropriate to approve the transfer. The effective date of our approval of this transfer will be upon completion of the protest period, provided no protests are received. This docket shall be closed after the effective date of the proposed agency action order, if no protest is received.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application for approval of the transfer of majority organizational control of National Telephone Services, Inc. to Telesphere Communications, Inc. is hereby approved as set forth in the body of this Order. It is further

ORDERED that the provisions of this Order are issued as proposed agency action and shall become final unless a petition in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director of the Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date set forth below. It is further

ORDERED that, if no protest is received within the 14 day protest period set out in the Notice of Further Proceedings below, this docket shall be closed.

By ORDER of the Florida Public Service Commission,
 this 11th day of JUNE, 1990.

 STEVE TRIBBLE, Director
 Division of Records and Reporting

(S E A L)

SFS

by: Kay Flynn
 Chief, Bureau of Records

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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 June 25, 1990.

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.