



ORDER NO. 25130  
DOCKETS NOS. 910007-TI & 900898-TI  
PAGE 2

Therefore, we find that it is in the public interest to grant a certificate to Telegroup, Inc. d/b/a Telegroup of Iowa, Inc., and it is our intention to grant the certificate. Interexchange telephone companies are subject to the provisions of Chapter 364, Florida Statutes, and Rules 25-24.455 through 25-24.495, Florida Administrative Code. Additionally, by Order No. 16804, IXCs are prohibited from constructing facilities to bypass a local exchange company without express prior approval from the Commission.

There is an additional matter that we must address. In June 1990 our staff discovered, through a customer complaint, that Telegroup, was reselling discounted AT&T service in Florida without the required interexchange carrier (IXC) certificate. Telegroup initially maintained that it was not operating as an IXC, and staff proceeded to open Docket No. 900898-TI to consider whether to initiate show cause proceedings. However, following several conversations with our staff, Telegroup submitted its completed IXC application. An additional period of time was required for staff to determine the appropriate tariff requirements for this entity. Therefore, we believe that there is no reason to initiate show cause proceedings in Docket No. 900898-TI. However, we strongly caution the Company that any violation of applicable statute, Commission rules, or orders will result in further proceedings against Telegroup.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of Telegroup, Inc. d/b/a Telegroup of Iowa, Inc., in Docket No. 910007-TI, for a certificate to provide intrastate interexchange telecommunications service is granted as set forth in the body of this Order. It is further

ORDERED that the effective date of the certificate issued in Docket No. 910007-TI shall be the date specified below, if there is no protest to the proposed agency action within the time frame set forth below. It is further

ORDERED that Docket No. 910007-TI shall be closed if no protest is filed in accordance with the requirements set forth below. It is further

ORDERED that no further proceedings are necessary in Docket No. 900898-TI, and it is hereby closed.

ORDER NO. 25130  
DOCKETS NOS. 910007-TI & 900898-TI  
PAGE 3

By ORDER of the Florida Public Service Commission, this 27th  
day of SEPTEMBER, 1991.

  
\_\_\_\_\_  
STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

PAK

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 granting the interexchange carrier certificate in Docket No. 910007-TI 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 10/18/91.

ORDER NO: 24130  
DOCKET# NOS: 910007-TI & 900000-TI  
PAGE 4

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.

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.

M E M O R A N D U M

September 26, 1991

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (KURLIN) *pak TH*  
RE: DOCKETS NOS. 910007-TI & 900898-TI

*25730*

-----  
Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING  
CERTIFICATE AND ORDER CLOSING SHOW CAUSE DOCKET in the above-  
referenced dockets, which is ready to be issued.

PAK/mgf  
Attachment  
cc: Division of Communications  
910007a.mgf

*10-18-91*

DOCUMENT NUMBER-DATE  
09631 SEP 27 1991  
FPSC-RECORDS/REPORTING