

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for transfer of) DOCKET NO. 930189-TI
Interexchange Telecommunications) ORDER NO. PSC-93-0841-FOF-TI
Service Certificate No. 2695) ISSUED: June 7, 1993
from AMERICAN AUTOMATED)
TELEPHONE, LTD. to AMERICAN)
AUTOMATED TELECOM, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
THOMAS M. BEARD
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING APPLICATION FOR
TRANSFER OF CERTIFICATE NO. 2695

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.

On January 14, 1993, American Automated Telephone, Ltd. (AATL), the current holder of IXC Certificate No. 2695, filed an application to change the name on its certificate from AATL to American Automated Telecom, Inc. (AATI). An initial review of its application indicated that AATI's name was not registered with the Secretary of State, Division of Corporations, and AATI was so informed. On February 24, 1993, AATI provided a copy of such registration to supplement its application.

Further investigation indicated, however, that not only had there been a change in name, but a transfer of Certificate No. 2695 without this Commission's approval, in violation of Rule 25-24.473, Florida Administrative Code. When AATI was questioned about this, it admitted, by letter dated March 30, 1993, that a transfer had, indeed, transpired. Although its management had also changed since the transfer, AATI's letter attempted to outline, to the best of its ability, the course of events that led to the transfer. In

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addition, AATI immediately filed an application for approval of the transfer.


AATI's application is complete, and the information contained therein indicates that the transfer is in the public interest. We note, in that regard, that AATI has expressed its eagerness to bring all of its operations into compliance with this Commission's regulations. Accordingly, its application is granted. As for its violation of Rule 25-24.473, Florida Administrative Code, since AATI was so forthcoming, and since it has indicated its willingness to comply with our regulations, we decline to initiate show cause proceedings.

It is, therefore,

ORDERED by the Florida Public Service Commission that the application for transfer of Certificate No. 2695 from American Automated Telephone, Ltd. to American Automated Telecom, Inc. is hereby approved. It is further

ORDERED that unless a person whose interests are substantially affected files a protest in the form and by the date set forth in the Notice of Further Proceeding, below, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 7th day of June, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RJP

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 28, 1993.

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 wastewater 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.