

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for cancellation) DOCKET NO. 940298-TI
of Interexchange) ORDER NO. PSC-94-0552-FOF-TI
Telecommunications Certificate) ISSUED: May 11, 1994
No. 3197 and tariff by TELCOM)
UNITED NORTH, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING CERTIFICATE

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.

By letter dated March 11, 1994, Telcom United North, Inc. (Telcom United) requested the cancellation of its Certificate of Public Convenience and Necessity No. 3197. Gail Matteo, Administrative Vice President of Telcom United, related by telephone on April 11, 1994 that the company no longer has any customers in Florida and thus, it no longer requires a certificate for operating purposes. Accordingly, for these reasons, we will grant Telcom United's request and cancel its certificate of public convenience and necessity no. 3197.

Telcom United, if it has not already done so, is hereby directed to return its certificate forthwith to the Commission. Further, our cancellation of the certificate and the closing of this docket in no way diminishes its obligation to pay applicable delinquent regulatory assessment fees.

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It is therefore,

ORDERED by the Florida Public Service Commission that the request of Telcom United North, Inc. for the cancellation of Certificate of Public Convenience and Necessity No. 3197 is hereby approved. It is further

ORDERED that, unless a person whose interests are substantially affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, this Order shall become final and this docket shall be closed on the following date.

ORDERED that Telcom United North, Inc., if it has not already done so, is to return its certificate and remit any and all outstanding Regulatory Assessment Fees due the Florida Public Service Commission.

By ORDER of the Florida Public Service Commission, this 11th day of May, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

SHS

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 1, 1994.

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.