

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Joint petition for ) DOCKET NO. 931118-TI  
waiver of customer deposit bond ) ORDER NO. PSC-94-0875-FOF-TI  
by LDDS COMMUNICATIONS INC. ) ISSUED: July 18, 1994  
d/b/a LDDSMETROMEDIA )  
COMMUNICATIONS. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING WAIVER OF RULE 25-24.490(3)

BY THE COMMISSION:

On January 24, 1994, LDDS Communications, Inc. d/b/a LDDSMetromedia Communications filed a petition requesting waiver of Rule 25-24.490(3). In pertinent part, Rule 25-24.490(3), F.A.C., states that a minor IXC

...may require a deposit as a condition for service and may collect advance payments for more than one month of service if it maintains on file with the Commission a bond covering its current balance of deposits and advance payments (for more than one month's service). A company may apply to the Commission for a waiver of the bond requirement by demonstrating that it possesses the financial resources and income to provide assurance of continued operation under its certificate over the long term.

A financial analysis of the holdings of LDDS indicates that LDDS' financial condition went from a profitable company with adequate interest coverage in 1991 to an unprofitable company with an inadequate interest coverage ratio in 1992. However, the decline in financial condition appears to be a result of LDDS merger activities. If merger costs in 1992 had not been included, LDDS would have reported a profit for the year. In 1993, LDDS' profitability and interest coverage were adequate. Meanwhile LDDS' equity ratio increased significantly during 1993, rising from 43.42% in December 1992 to 73.24% in December 1993.

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A financial analysis of this data indicates that LDDS has the financial means to guarantee the security of its customer deposits and, thus, is sufficiently sound to warrant waiver of the bond requirement. The Commission, therefore, grants the requested waiver.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the petition by LDDS Communications, Inc. d/b/a LDDSMetromedia Communications for waiver of Rule 25-24.490(3) Florida Administrative Code is hereby granted as set forth in the body of this Order. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 18th day of July, 1994.

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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

SHS

by: Kay J. Lyons  
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.

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Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.