

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for transfer ) DOCKET NO. 940571-TP  
of control of Interexchange ) ORDER NO. PSC-94-1141-FOF-TP  
Telecommunications Service ) ISSUED: September 16, 1994  
Certificate No. 2990 and Shared )  
Tenant Service Certificate No. )  
3497 from REALCOM OFFICE )  
COMMUNICATIONS, INC. to )  
MFSGAAQCO NO. 1, INC., a wholly- )  
owned subsidiary of MFS )  
Communications Company, Inc. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER APPROVING MERGER AND TRANSFER OF 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 substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On May 18, 1994, MFS Communication Company, Inc. ("MFSCC"), its wholly-owned subsidiary MfsGaAqCo No. 1, Inc. ("MFS-Acquisition"), and RealCom Office Communications, Inc. ("RealCom") requested approval for MFS-Acquisition to merge with RealCom. The parties plan to dissolve MFS-Acquisition upon completion of the merger and RealCom will continue to operate as a subsidiary of MFSCC. RealCom will be managed by personnel from RealCom and personnel from MFSCC and its subsidiaries. The merger will increase RealCom's technical, personnel and financial resources and allow it to better serve its Florida customers and expand its customer base.

DOCUMENT NUMBER-DATE

09531 SEP 16 1994

FPSC-RECORDS/REPORTING

ORDER NO. PSC-94-1141-FOF-TP  
DOCKET NO. 940571-TP  
PAGE 2

RealCom holds certificates from this Commission to operate as both an interexchange carrier (Certificate No. 2990) and a shared tenant service provider (Certificate No. 3497) in Florida. Upon completion of the merger, RealCom will continue to control the certificates. This merger will not affect RealCom's current services or tariffs. The transaction will not be noticeable to customers.

Upon consideration, we find that it is in the public interest to approve this request for merger and transfer of control.

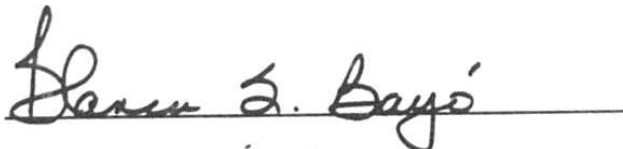
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request by MFS Communication Company, Inc., MfsGaAqCo No. 1, Inc., and RealCom Office Communications, Inc. to merge RealCom Office Communications, Inc. and MfsGaAqCo. No. 1, Inc. is approved as outlined in the body of this Order. It is further

ORDERED that RealCom's certificates to provide interexchange telecommunications services and to provide shared tenant services will continue to be controlled by RealCom. It is further

ORDERED that unless a person whose substantial interests are affected files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, this order shall become effective and this docket shall be closed on the following date.

By ORDER of the Florida Public Service Commission, this 16th day of September, 1994.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

LMB

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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on October 7, 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 substantially 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.