

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for cancellation ) DOCKET NO. 951100-TI  
of Interexchange ) ORDER NO. PSC-95-1579-FOF-TI  
Telecommunications Certificate ) ISSUED: December 21, 1995  
No. 1564 by Fiberfone U.S.A., )  
Inc. )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CANCELLING CERTIFICATE AND CLOSING DOCKET

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.

The entity listed in the caption of this Order has requested to voluntarily cancel its Certificate of Public Convenience and Necessity, which allows for the provision of interexchange telecommunications service. Accordingly, we find it appropriate to cancel the certificate listed below.

<u>Name</u>	<u>Certificate No.</u>
Fiberfone U.S.A., Inc.	1564

If they have not already done so, Fiberfone U.S.A., Inc., is directed to return its certificate to the Commission.

Our cancellation of the certificate and the closing of this docket in no way diminishes the obligation to pay due and owing regulatory assessment fees. A Regulatory Assessment Fee Return notice will be mailed to Fiberfone U.S.A., Inc. Section 364.336, Florida Statutes, requires all certificate holders to pay a minimum

DOCUMENT NUMBER-DATE

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of \$50 annually, if the certificate was active during any portion of the calendar year. It is the certificate holder's responsibility to pay any outstanding regulatory assessment fees and failure to receive notice does not relieve this obligation.

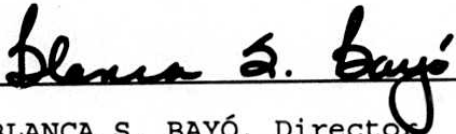
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the above Certificate of Public Convenience and Necessity is hereby cancelled, effective when this Order becomes final. It is further

ORDERED that if it has not already done so, Fiberfone U.S.A., Inc., shall return its certificate and remit any and all outstanding Regulatory Assessment Fees due the Florida Public Service Commission. It is further

ORDERED that, unless a person whose substantial interests are 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, below, Certificate No. 1564 shall be cancelled on the following date and this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 21st day of December, 1995.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

SCL

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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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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 11, 1996.

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.