

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of transfer of Alternative Access Vendor Telecommunications Certificate No. 3117 with authority to provide alternative local exchange telecommunications service from Jacksonville Teleport, L.C. to Dedicated Fiber Systems, Inc.

DOCKET NO. 971075-TP  
ORDER NO. PSC-97-1162-FOF-TP  
ISSUED: September 30, 1997

The following Commissioners participated in the disposition of this matter:

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

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

By letter dated July 30, 1997, Jacksonville Teleport, L.C. (Jacksonville Teleport), holder of Alternative Access Vendor Telecommunications (AAV) Certificate Number 3117 with authority to provide alternative local exchange telecommunication service (ALEC), and Dedicated Fiber Systems, Inc. (Dedicated Fiber Systems), jointly requested that Alternative Access Vendor Telecommunications (AAV) Certificate Number 3117 with authority to provide alternative local exchange telecommunication service be transferred from Jacksonville Teleport to Dedicated Fiber Systems.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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Jacksonville Teleport and Dedicated Fiber Systems have complied with Rule 25-24.730, Florida Administrative Code, regarding the transfer of alternative access vendor telecommunications certificates. We find the transfer to be in the public interest and, accordingly, we hereby approve the transfer. AAV Certificate Number 3117 with authority to provide ALEC service shall be amended to reflect that Dedicated Fiber Systems is the holder of this certificate.

If this Order becomes final and effective, it shall serve as Dedicated Fiber Systems' certificate. Dedicated Fiber Systems should, therefore, retain this Order as proof of certification.

AAV services providers are subject to Chapter 25-24, Florida Administrative Code, Part XIV, Rules Governing Alternative Access Vendor Services, as well as the terms and conditions of Order No. 24877, issued August 2, 1991.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request for transfer of Alternative Access Vendor Telecommunications Certificate Number 3117 with authority to provide alternative local exchange telecommunication service from Jacksonville Teleport, L.C. to Dedicated Fiber Systems, Inc. is hereby approved. It is further

ORDERED that Alternative Access Vendor Telecommunications Certificate Number 3117 with authority to provide alternative local exchange telecommunication service shall be amended to reflect that Dedicated Fiber Systems, Inc. is the holder of this certificate. It is further

ORDERED that this Order shall serve as Dedicated Fiber Systems, Inc.'s certificate. Dedicated Fiber Systems, Inc. should retain this Order as proof of certification. It is further


ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

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ORDERED that in the event this Order becomes final, this  
Docket shall be closed.

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By ORDER of the Florida Public Service Commission, this 30th  
day of September, 1997.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 October 21, 1997.

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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.