

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 971634-T1 Date Docketed: 12/19/1997 Title: Joint application for approval of merger of United Wats, Inc. d/b/a UWI (holder of IXC Certificate No. 4064 and a wholly-owned subsidiary of LDN) with and into Network Long Distance, Inc. d/b/a LDN, Inc. (holder of IXC Certificate No. 3178).

Company: LDN, Inc. (Network Long Distance, Inc., d/b/a) UWI (United Wats, Inc. d/b/a)

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_ Expiration: \_\_\_\_\_

Referred to: ADM AFA APP CAF (CMJ) EAG GCL LEG RAR RRR WAW  
 ("(") indicates OPR) \_\_\_\_\_ X \_\_\_\_\_ X \_\_\_\_\_

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B1(j)

Staff Assignments

OPR Staff N Pruitt

Staff Counsel K Pena

OCRs ( )

( )

( )

( )

( )

Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with RAR: 12/29/1997

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**  
 Current CASR revision level

0

Due Dates

Previous Current

1. Staff Recommendation	NONE	01/08/1998
2. Agenda - Regular	NONE	01/20/1998
3. PAA Order - Automatic Closing	NONE	02/09/1998
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
X							

- Prehearing Officer

Commissioners					ADH
JN	DS	CL	GR	JC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_  
 Date: 12/29/1997

C



FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Number of Originals 4 Date 2/9/98 Copies Per Original 18  
 Requested By Ruth Hg

Item Presented \_\_\_\_\_  
 Agenda For (Date) \_\_\_\_\_ Order No. 98-009 In Docket No. 171031  
 Notice of \_\_\_\_\_ For (Date) \_\_\_\_\_ In Docket No. \_\_\_\_\_  
 Other \_\_\_\_\_

Special Handling Instructions

Distribution/Mailing

Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>18</u>	<u>Commission Offices</u>	---	_____
<u>(1)</u>	<u>Docket Mailing List - Mailed</u>	_____	_____
<u>(2)</u>	<u>Docket Mailing List - Faxed</u>	_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 146 Verified By W.S.  
 Date and Time Completed 2-11-98 Job Checked For Correctness and Quality (Initial) \_\_\_\_\_

Mail Room Verification

Date Mailed \_\_\_\_\_ Verified By \_\_\_\_\_

MEMORANDUM

February 5, 1998

RECEIVED

FEB 05 1998

1:40

FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *KPMCB*

RE: DOCKET NO. 971634-TI - REQUEST FOR APPROVAL OF MERGER OF UNITED WATS, INC. D/B/A UWI (HOLDER OF IXC CERTIFICATE NO. 4064 AND A WHOLLY-OWNED SUBSIDIARY OF LDN) WITH AND INTO NETWORK LONG DISTANCE, INC. D/B/A LDN, INC. (HOLDER OF IXC CERTIFICATE NO. 3178).

98-0229-FOF-TI

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER APPROVING MERGER, with attachments, to be issued in the above referenced docket. (Number of pages in order - 4)

KMP/anr  
Attachment  
cc: Division of Communications  
I: 971634.kmp

*See 1*

*Forwarded  
mailed 2/11*

STATE OF FLORIDA

Commissioners:  
JULIA L. JOHNSON, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770

**Public Service Commission**

February 13, 1998

Mr. Benjamin W. Bronston  
Nowalsky, Bronston & Gothard, L.L.P.  
3500 N. Causeway Boulevard, Suite 1442  
Metairie, Louisiana 70002

Re: **Docket No. 971634-TI** - Approval of merger of United Wats d/b/a UWI with and into Network Long Distance, Inc. d/b/a LDN, Inc.

Dear Mr. Bronston:

Enclosed is an Application for Refund form. Completion of this form will begin the process for refund of the \$250.00 filing fee that was submitted with the above-referenced request on December 19, 1997. There is no filing fee for merger requests; thus, the payment can be refunded.

Please complete the form by adding the FEID number, and dating and signing where indicated. Return the form to my attention at the address printed on this letter.

Please do not hesitate to call if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kay Flynn".

Kay Flynn, Chief  
Bureau of Records

Enclosure

cc: Division of Communications  
Evelyn Sewell, Division of Administration

STATE OF FLORIDA

Commissioners:  
JULIA L. JOHNSON, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYO  
DIRECTOR  
(850) 413-6770

## Public Service Commission

January 28, 1998

Mr. Benjamin W. Bronston  
Nowalsky, Bronston & Gothard, L.L.P.  
2500 N. Causeway Boulevard, Suite 1442  
Metairie, Louisiana 70002

Re: Docket No. 971634-TI - Approval of merger of United Wats d/b/a UWI with and into Network Long Distance, Inc. d/b/a LDN, Inc.

Dear Mr. Bronston:

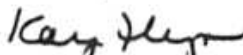
Enclosed is an Application for Refund form. Completion of this form will begin the process for refund of the \$250.00 filing fee that was submitted with the above-referenced request on December 19, 1997. There is no filing fee for name change requests; thus, the fee can be refunded.

Please complete the form by adding the FEID number, and dating and signing where indicated. Return the form to:

Florida Public Service Commission  
Division of Administration  
Attention: Ms. Evelyn Sewell  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0850

Please do not hesitate to call if you have any questions regarding this matter.

Sincerely,

  
Kay Flynn, Chief  
Bureau of Records

Enclosure

cc: Division of Communications  
Evelyn Sewell, Division of Administration



STATE OF FLORIDA  
OFFICE OF THE COMPTROLLER  
APPLICATION FOR REFUND

Section 215.26, Florida Statutes, states in part: "Applications for refunds as provided in this section shall be filed with the Comptroller, except as otherwise provided herein, within 3 years after the right to such refund shall have accrued else such right shall be barred." Three years is generally interpreted as meaning three years from the date of payment into the State treasury. The Comptroller has delegated the authority to accept applications for refund to the unit of State government which initially collected the money.

Pursuant to the provisions of Rule 3A-44.020, Florida Administrative Code, and Section 215.26, Florida Statutes, or Section \_\_\_\_\_, Florida Statutes, I hereby apply for a refund of moneys I paid into the State treasury, which are subject to refund. The following information is submitted to substantiate the claim.

Name: Nowalsky, Bronston & Gothard, L.L.P. CIN or SS No. \_\_\_\_\_

Address: 2500 N. Causeway Blvd., Suite 1442  
Metairie, Louisiana 70002

Amount: \$250.00 Date Paid 12/22/97 (D676)

Reason for Claim: Docket No 971634-TI was opened to approve a merger. There is no filing fee for this kind of transaction; thus, the filing fee can be refunded.

CERTIFIED TRUE AND CORRECT this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Signature \_\_\_\_\_

\*Must be completed if authority is other than Section 215.26, Florida Statutes.

(FOR AGENCY USE ONLY)

Agency recommends approval of the above claim and submits the following information to substantiate the claim: Amount of recommended refund \$ \_\_\_\_\_.

The amount requested above was originally deposited into the State treasury as a part of the funds deposited on State Treasurer's Receipt No. \_\_\_\_\_ dated \_\_\_\_\_

NAME OF ACCOUNT: \_\_\_\_\_

SANAS ACCOUNT CODE											

Statutory Authority for Collection: \_\_\_\_\_  
It is requested that payment be made from the following account:

NAME OF ACCOUNT: \_\_\_\_\_

SANAS ACCOUNT CODE											

CERTIFIED TRUE AND CORRECT this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Agency \_\_\_\_\_

Signature of Authorized Person \_\_\_\_\_

Title \_\_\_\_\_

To: Nancy Pruitt  
From: Blanca Bayo  
Subject: fwd: 971634

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===NOTE=====12/29/97==3:55pm=  
According to the cover letter from the attorney the filing included a check for \$250. Usually I get a copy of the check but didn't this time. Since a fee is not required in a merger of 2 certificated companies was the check sent back?

Fwd-by:=-Blanca-Bayo==12/29/97==4:05pm=Fwd to: Nancy Pruitt

.....  
I will find out and let you know.

Fwd-by:=-Nancy-Pruitt==12/30/97==7:45am=

Fwd to: Kay Flynn  
CC: Rick Moses

.....  
Rick told me you had e-mailed him about whether the filing fee should be refunded.

I thought it should and checked with Tommy who said yes. I contacted the company about whether to cancel the certificate and was told no not until the proposed merger took place and then the company would file with us a revised tariff to incorporate the 2 tariffs and request to cancel the certificate.

Fwd-by:=-Kay-Flynn=====

Fwd to: Nancy Pruitt  
CC: Blanca Bayo

.....  
Thanks, Nancy. I've been waiting to hear back about refunding this filing fee. I'll start the refund process now.

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Kay Flynn  
Pat Page  
Subject: 971634-TI  
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-----NOTE-----  
CC: Evelyn Sewell  
.....

Pat, I left a voice-mail message for you regarding this matter. If you haven't already deposited Check No. 2088 in the amount of \$250 from Nowalsky law firm, please do not do so. There is no filing fee for the type of transaction they are seeking approval of. The stamp on the check copy indicates Dep D676 dated 12/22/97. If you have deposited, I will need an application for refund form. Thanks. Kay

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From: Kay Flynn  
To: Tommy Williams  
Subject: 971634-TI  
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---NOTE-----  
CC: Linda Williams  
.....

*This is a new docket regarding merger of Network Long Distance with United Wats. It isn't clear to me whether United Wats' IXC Cert 4064 will need to be canceled when the merger is approved. Please let us know if there will be any effect on the certificate and whether the docket title will need to be changed. Thanks. Kay*

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STATE OF FLORIDA

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



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770

## Public Service Commission

December 22, 1997

Benjamin W. Bronston, Esquire  
Nowalsky, Bronston & Gothard, L.L.P.  
3500 North Causeway Boulevard,, Suite 1442  
Metairie, Louisiana 70002

Re: Docket No. 971634-TI

Dear Mr. Bronston:

This will acknowledge receipt of a joint application for approval of merger of United Wats, Inc. d/b/a UWI (holder of IXC Certificate No. 4064 and a wholly-owned subsidiary of LDN) with and into Network Long Distance, Inc. d/b/a LDN, Inc. (holder of IXC Certificate No. 3178), which was filed in this office on December 19, 1997 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Division of Records and Reporting  
Florida Public Service Commission