

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer
of and name change on ALEC
Certificate No. 7259 from Xtel,
Inc. d/b/a ACG to Interloop,
Inc.

DOCKET NO. 991819-TX
ORDER NO. PSC-00-0145-PAA-TX
ISSUED: January 21, 2000

The following Commissioners participated in the disposition of
this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF AND NAME CHANGE ON
ALTERNATIVE LOCAL EXCHANGE TELECOMMUNICATIONS 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.

On December 6, 1999, Xtel, Inc. d/b/a ACG (ACG) and Interloop,
Inc. (Interloop) filed with this Commission a joint request for
transfer of and name change on Alternative Local Exchange
Telecommunications (ALEC) Certificate No. 7259 from ACG to
Interloop.

ACG and Interloop have complied with Rule 25-24.815, Florida
Administrative Code, regarding the transfer of ALEC certificates.
We find the transfer to be in the public interest and, therefore,
approve the transfer. ALEC Certificate No. 7259 shall be amended
to reflect that Interloop is the holder of this certificate.

If this Order becomes final and effective, it shall serve as
Interloop's certificate. It should, therefore, be retained by
Interloop as proof of certification and as evidence of the name
change.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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ALECs are subject to Chapter 25-24, Florida Administrative Code, Part XV, Rules Governing Telecommunications Service Provided by Alternative Local Exchange Companies. ALECs are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapters 25-4, Florida Administrative Code.

In addition, Section 364.337(2), Florida Statutes, requires ALECs which provide basic local telecommunications service to provide access to 911 services. This Commission has no rules specifying the 911 services that either an incumbent local exchange company (ILEC) or an ALEC must provide; however, 911 service that is inferior to that provided by the ILEC would clearly not be in the public interest. Accordingly, we find that Section 364.337(2), Florida Statutes, requires ALECs which provide basic local telecommunications services to provide at least the same level of 911 services as that provided by the ILEC serving the same area.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request for transfer of and name change on Alternative Local Exchange Telecommunications Certificate No. 7259 from Xtel, Inc. d/b/a ACG to Interloop, Inc., is hereby approved. It is further

ORDERED that Interloop, Inc. Alternative Local Exchange Telecommunications Certificate No. 7259 is subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that Alternative Local Exchange Telecommunications Certificate No. 7259 shall be amended to reflect that Interloop, Inc., is the holder of this certificate.

ORDERED that this Order will serve as Interloop, Inc.'s certificate and that this Order should be retained as proof of certification and as evidence of the name change. It is further

ORDERED that each alternative local exchange company which provides basic local telecommunications services shall provide at least the same level of 911 services as that provided by the incumbent local exchange company serving the same area. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form

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provided by Rule 28-106.201, 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

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

By ORDER of the Florida Public Service Commission, this 21st day of January, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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 that is available under Section 120.57, 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 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. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative

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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 February 11, 2000.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

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.