

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of IXC Certificate No. 2481 issued to RSL COM U.S.A., Inc. d/b/a Westinghouse Communications for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies; and request for change in name on IXC Certificate No. 4068 from RSL COM U.S.A., Inc. to RSL COM U.S.A., Inc. d/b/a Westinghouse Communications.

DOCKET NO. 992008-TI
ORDER NO. PSC-00-1130-FOF-TI
ISSUED: June 22, 2000

The following Commissioners participated in the disposition of this matter:

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

ORDER GRANTING VOLUNTARY CANCELATION OF CERTIFICATE
AND ACKNOWLEDGING NAME CHANGE ON REMAINING CERTIFICATE

BY THE COMMISSION:

On December 10, 1998, our Division of Administration mailed the regulatory assessment fee (RAF) notice to RSL COM U.S.A., INC. d/b/a Westinghouse Communications (RSL). Florida Statute 350.113(4), provides that the Commission "shall provide each regulated company with written notice of the date that payment of the fee is due at least 45 days prior to such date." The due date was February 1, 1999. Not having received a response, on March 17, 1999, we mailed a delinquent letter. On February 1, 2000, attorney David O'Connor called our staff on behalf of RSL to discuss the 1998 RAF, a transfer of control that occurred in 1998, and a name change on another of the company's certificates.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

On March 09, 2000, we received a petition requesting a partial waiver of the RAF rule, voluntary cancellation of Certificate No. 2481 and a name change on Certificate No. 4068 from RSL COM U.S.A., Inc. to RSL COM U.S.A., Inc. d/b/a Westinghouse Communications. On March 13, 2000, the Notice of Petition for Exemption was submitted to the Secretary of State for publication in the Florida Administrative Weekly. The comment period ended April 14, 2000. On May 1, 2000, however, the company withdrew its petition for a partial waiver of Rule 25-4.0161, F.A.C., requested voluntary cancellation of Certificate No. 2481, and requested that Certificate No. 4068 be amended to change the name from RSL COM U.S.A., Inc. to RSL COM U.S.A., Inc. d/b/a Westinghouse Communications.

Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

On May 1, the company paid the 1998, 1999, and 2000 regulatory assessment fees, including the statutory penalty and interest charges for 1998 and 1999, and withdrew its petition for partial waiver of Rule 25-4.0161, F.A.C. R.S.L., however, continued its request for voluntary cancellation of Certificate No. 2481, and name change on Certificate No. 4068, which is currently in the name of RSL COM U.S.A., Inc., to RSL COM U.S.A., Inc. d/b/a Westinghouse Communications.

In light of RSL's payment of all outstanding RAF's, including penalties and interest, and the fact that two certificates are not needed or used by it, we now grant RSL a voluntary cancellation of interexchange telecommunications certificate No. 2481, effective March 9, 2000.

RSL's original petition, received March 9, 2000, asserted that, in addition to the requested cancellation of Certificate No. 2481, it needed a name change on Certificate No. 4068. The company believes that having two IXC certificates created confusion on its part with respect to the regulatory assessment fees. RSL committed that there would be no apparent change to its customers, and no change in the operation or control of the company. Accordingly, we hereby acknowledge the name change on IXC Certificate No. 4068 from RSL COM U.S.A., Inc. to RSL COM U.S.A., Inc. d/b/a Westinghouse Communications.

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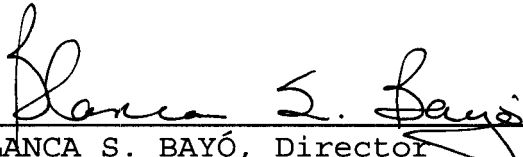
Based on the forgoing, it is

ORDERED by the Florida Public Service Commission that the voluntary cancelation of certificate No. 2481, requested by RSL COM U.S.A., Inc., is hereby granted. It is further

ORDERED that the name change on Certificate No. 4068 is hereby acknowledged. RSL COM U.S.A., Inc. shall become RSL COM U.S.A., Inc. d/b/a Westinghouse Communications. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission this 22nd day of June, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CLF

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of

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Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/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 after the issuance 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.