

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Notification of corporate restructure and reorganization whereby CommuniGroup, Inc. (holder of IXC Certificate No. 5726) is now holding company of its wholly owned operating subsidiary, CommuniGroup of Jackson, Inc., and request for approval of transfer of and name change on Certificate 5726 from CommuniGroup, Inc. to CommuniGroup of Jackson, Inc. d/b/a CommuniGroup.

DOCKET NO. 010376-TI
ORDER NO. PSC-01-1310-PAA-TI
ISSUED: June 18, 2001

The following Commissioners participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF AND NAME CHANGE ON
INTEREXCHANGE 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 March 30, 2001, CommuniGroup, Inc. (CommuniGroup) filed with this Commission a joint request for transfer of and name change on Interexchange Telecommunications (IXC) Certificate No. 5726 from CommuniGroup, Inc. to CommuniGroup of Jackson, Inc. d/b/a CommuniGroup.

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FPSC-RECORDS/REPORTING

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CommuniGroup, Inc. has complied with Rule 25-24.473, Florida Administrative Code, regarding the transfer of IXC certificates. We find the transfer to be in the public interest and, therefore, approve the transfer. IXC Certificate No. 5726 shall be amended to reflect that CommuniGroup of Jackson, Inc. d/b/a CommuniGroup is the holder of this certificate.

If this Order becomes final and effective, it shall serve as CommuniGroup of Jackson, Inc. d/b/a CommuniGroup's certificate. CommuniGroup of Jackson, Inc. d/b/a CommuniGroup should, therefore, retain this Order as proof of certification. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.335 and 364.345, Florida Statutes.

IXC providers are subject to Chapter 25-24, Florida Administrative Code, Part X, Rules Governing Telephone Service Provided by Interexchange Telephone Companies. IXC providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapters 25-4, Florida Administrative Code.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed to both CommuniGroup, Inc. and CommuniGroup of Jackson, Inc. d/b/a CommuniGroup. Neither the cancellation of the certificate nor the failure to receive a RAFs Return notice shall relieve CommuniGroup, Inc. and CommuniGroup of Jackson, Inc. d/b/a CommuniGroup from their obligation to pay RAFs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request for transfer of and name change on Interexchange Telecommunications Certificate No. 5726 from CommuniGroup, Inc. to CommuniGroup of Jackson, Inc. d/b/a CommuniGroup, is hereby approved. It is further

ORDERED that Interexchange Telecommunications Certificate No. 5726 shall be amended to reflect that CommuniGroup of Jackson, Inc.

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d/b/a CommuniGroup, is the holder of this certificate. It is further

ORDERED that CommuniGroup of Jackson, Inc. d/b/a CommuniGroup's Interexchange Telecommunications Certificate No. 5726 is subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as CommuniGroup of Jackson, Inc. d/b/a CommuniGroup's certificate and should be retained by CommuniGroup of Jackson, Inc. d/b/a CommuniGroup as proof of certification and as evidence of the name change. It is further

ORDERED that CommuniGroup, Inc. and CommuniGroup of Jackson, Inc. d/b/a CommuniGroup shall remit Regulatory Assessment Fees for the year 2001. 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 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, these Dockets shall be closed.

By ORDER of the Florida Public Service Commission, this 18th day of June, 2001.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: _____

Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

JAE

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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 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 July 9, 2001.

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.