

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval of transfer of majority organizational control of Hayes Telecommunication Services, Inc. (holder of AAV Certificate No. 4032) and for transfer of and name change on Certificate No. 4032 to Hayes E-Government Resources, Inc.

DOCKET NO. 021057-TA
ORDER NO. PSC-02-1527-PAA-TA
ISSUED: November 6, 2002

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF CONTROL
AND TRANSFER OF AAV 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.

Section 364.33, Florida Statutes, provides that a person may not acquire ownership or control of any telecommunications facility, or any extension thereof for the purpose of providing telecommunications services to the public, including the acquisition, transfer, or assignment of majority organizational control or controlling stock ownership, without prior approval from this Commission.

DOCUMENT NUMBER-DATE

12190 NOV-6 02

FPSC-COMMISSION CLERK

ORDER NO. PSC-02-1527-PAA-TA
DOCKET NO. 021057-TA
PAGE 2

By letter dated October 17, 2002, Hayes Telecommunication Services, Inc. (HTS) and Hayes E-Government Resources, Inc. (Hayes E-Government Resources) submitted an application for transfer of majority organizational control of HTS and for transfer of Alternative Access Vendor (AAV) Certificate No. 4032 to Hayes E-Government Resources. Hayes E-Government Resources also filed with this Commission an application to provide AAV telecommunications services in the state of Florida. HTS has stated that the transaction will be virtually transparent to any customers in Florida and it will not affect any services being provided. HTS will operate under Certificate No. 4032 as Hayes E-Government Resources.

In accordance with our authority under Section 364.33, Florida Statutes, to approve the acquisition or transfer of majority organizational control or controlling stock ownership of a telecommunications company providing service in Florida, we have reviewed the petition of HTS and Hayes E-Government Services, and find it appropriate to approve it. We have based our review and decision upon an analysis of the public's interest in efficient, reliable telecommunications service.

On October 17, 2002, HTS and Hayes E-Government Resources also filed with this Commission a joint request for transfer of and name change on AAV Certificate No. 4032 from HTS to Hayes E-Government Resources. HTS and Hayes E-Government Resources have complied with Rule 25-24.721, Florida Administrative Code, regarding the transfer of AAV Certificates, and Rule 25-24.720, Florida Administrative Code, governing the Application for an AAV Certificate. We find the transfer to be in the public interest and, therefore, approve the transfer. AAV Certificate No. 4032 shall be amended to reflect that Hayes E-Government Resources is the holder of the certificate.

AAV providers are subject to Chapter 25-24, Florida Administrative Code, Part XIV, Rules Governing Alternative Access Vendor Services. AAV providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes. We are vested with jurisdiction over this matter pursuant to Section 364.33, 364.335, and 364.345, Florida Statutes.

ORDER NO. PSC-02-1527-PAA-TA

DOCKET NO. 021057-TA

PAGE 3

Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that Hayes Telecommunication Services, Inc. and Hayes E-Government Resources, Inc.'s request for approval of transfer of majority organizational control of Hayes Telecommunications Services, Inc. to Hayes E-Government Resources, Inc. is hereby approved. It is further

ORDERED that the request for transfer of and name change on Alternative Access Vendor Telecommunications Certificate No. 4032 from Hayes Telecommunication Services, Inc. to Hayes E-Government Resources, Inc., is hereby approved. It is further

ORDERED that Alternative Access Vendor Certificate No. 4032 shall be amended to reflect that Hayes E-Government Resources, Inc. is the holder of the certificate. It is further

ORDERED that Hayes E-Government Resources, Inc.'s Alternative Access Vendor Certificate 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 Hayes E-Government Resources, Inc.'s certificate and shall be retained by Hayes E-Government Resources, Inc. as proof of certification and as evidence of the name change. It is further

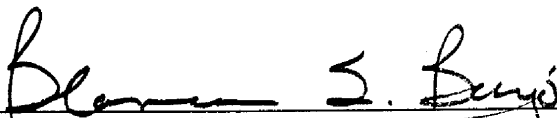
ORDERED that Hayes Telecommunication Services, Inc. and Hayes E-Government Resources, Inc. shall remit Regulatory Assessment Fees for the year 2000. It is further

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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

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

ORDER NO. PSC-02-1527-PAA-TA
DOCKET NO. 021057-TA
PAGE 4

By ORDER of the Florida Public Service Commission this 6th Day
of November, 2002.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

JAE

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

ORDER NO. PSC-02-1527-PAA-TA

DOCKET NO. 021057-TA

PAGE 5

the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on November 27, 2002.

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/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.