

## BEFORE THE PUBLIC SERVICE COMMISSION

In re: Adoption of the National School Lunch Program and an income-based criterion at or below 135% of the Federal Poverty Guidelines as eligibility criteria for the Lifeline and Link-Up programs.

DOCKET NO. 040604-TL  
ORDER NO. PSC-05-0012-PCO-TL  
ISSUED: January 3, 2005

ORDER GRANTING FLORIDA DIGITAL NETWORK, INC. D/B/A FDN  
COMMUNICATIONS' PETITION TO INTERVENE

By Petition filed on December 17, 2004, Florida Digital Network, Inc. d/b/a FDN Communications ("FDN") has requested permission to intervene in these proceedings. FDN is a duly certificated alternative local exchange telecommunications carrier and intrastate interexchange carrier in Florida. In the instant docket, this Commission will address whether to expand eligibility criteria for Lifeline and Link-Up assistance. The outcome of such determinations, particularly Issues 6 and 6A, could affect FDN's substantial interests. Therefore, this Commission's actions in this docket may have a direct and immediate effect on FDN's substantial interests.

Having reviewed the Petition, it appears that FDN's substantial interests may be affected by these proceedings, because it provides local exchange telecommunications and intrastate interexchange telecommunications services in Florida. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, FDN takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by Florida Digital Network, Inc. d/b/a FDN Communications is hereby granted. It is further

ORDERED that all parties to these proceedings shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in these proceedings, to:

Matthew Feil  
FDN Communications  
2301 Lucien Way  
Suite 200  
Maitland, Florida 32751  
Telephone: (407) 835-0460  
mfeil@mail.fdn.com

DOCUMENT NUMBER-DATE

00033 JAN-3 05

FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 3rd day of January, 2005.

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

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

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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 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.

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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, 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 or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.