

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Request for cancellation of AAV/CLEC Certificate No. 3151 by Metropolitan Fiber Systems of Florida, Inc., effective 1/2/04.	DOCKET NO. 031053-TA
In re: Request for cancellation of AAV/CLEC Certificate No. 4040 by MCI WorldCom Communications, Inc., effective 1/2/04.	DOCKET NO. 031054-TA
In re: Request for cancellation of STS Certificate No. 1669 by Access Network Services, Inc., effective 1/2/04.	DOCKET NO. 031055-TS ORDER NO. PSC-05-0211-FOF-TP ISSUED: February 22, 2005

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON
LISA POLAK EDGAR

ORDER CANCELING ALTERNATIVE ACCESS VENDOR CERTIFICATES AND SHARED
TENENT SERVICE CERTIFICATE

BY THE COMMISSION:

Due to the Plan of Reorganization under Title 11 of Chapter 11 of the United States Code (the "Bankruptcy Code"), Case No. 02-13533(AJG), having been filed with the Bankruptcy Court by WorldCom, Inc. and approved by said Bankruptcy Court on October 31, 2003, the above certificates were requested to be cancelled.

By Order No. PSC-03-1460-PAA-TP issued, December 22, 2003, cancellation of the certificates was granted effective January 2, 2004. On January 12, 2004, the petitioners timely filed a protest and petition for formal administrative proceeding on Order No. PSC-03-1460-PAA-TP. The petitioners contended that the January 2, 2004 effective date for cancellation of the certificates did not allow time for the reorganization plan to be completed. They also disputed the statement in the Order that the petitioners had not paid their 2002 Regulatory Assessment Fees.

After numerous discussions between our staff and counsel for the petitioners, on December 23, 2004, the petitioners filed a request to modify the cancellation dates and notice of voluntary dismissal of petition for formal administrative proceeding.

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FPSC-COMMISSION CLERK

Having reviewed the request filed by the petitioners, we agree that the 2002 Regulatory Assessment Fees were submitted and paid in full. Further, we agree that Order No. PSC-03-1460-PAA-TP should be modified. Thus new effective date for cancellation of the CLEC certificate held by Metropolitan Fiber Systems of Florida and the STS certificate held by Access Network Services, Inc. shall be April 20, 2004, and the new effective date for cancellation of the CLEC certificate held by MCI WorldCom Communications, Inc. shall be June 11, 2004. In addition, the Notice of Voluntary Dismissal of Petition for Formal Proceeding is acknowledged, and Order No. PSC-03-1460-PAA-TP shall be reinstated and consummated as a final order recognizing the amendments approved herein. Finally, since no further action by this Commission is necessary, the dockets shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Notice of Voluntary Dismissal of Petition for Formal Proceeding is accepted and Order No. PSC-03-1460-PAA-TP is modified as requested by the petitioners. Order No. PSC-03-1460-PAA-TP is consummated as a final order, and these dockets shall be closed

ORDERED that cancellation of the CLEC certificate held by Metropolitan Fiber Systems of Florida and the STS certificate held by Access Network Services, Inc. shall be effective April 20, 2004. The new effective date for cancellation of the CLEC certificate held by MCI WorldCom Communications, Inc. shall be June 11, 2004.

By ORDER of the Florida Public Service Commission this 22nd day of February, 2005.

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

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(SEAL)

VSM

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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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.