

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION
CLERK

DATE: July 12, 2005
TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director
FROM: Beth W. Salak, Director, Division of Competitive Markets & Enforcement
 Beth Keating, Attorney Supervisor, Office of the General Counsel
RE: Docket No. 050472-TX Application for certificate to provide competitive local exchange telecommunications service by Mobilepro Corp.

The application filed in Docket No. 050472-TX requests the Commission's approval for a transfer of control of American Fiber Network, Inc. to Mobilepro Corp. American Fiber Network, Inc. will remain as the certificated entity, utilizing the price list currently on file with the Commission. The customers will realize no change. Mobilepro Corp. will be the controlling entity.

Section 364.337(2), Florida Statutes, provides that competitive local exchange telecommunications companies (CLEC) are not subject to Section 364.33, Florida Statutes, Certificate of necessity prerequisite to construction, operation, or control of telecommunications facilities. Because CLECs are exempt from the requirements of Section 364.33, Docket No. 050472-TX was opened in error.

In accordance with Section C.2.d.(1), a docket opened in error may be administratively closed by the Division of the Commission Clerk and Administrative Services upon the joint recommendation of the OPR division and the Office of the General Counsel. Therefore, this docket should be administratively closed.

In addition, the applicant submitted payment of \$250 to the Commission. The check has already been deposited by Fiscal. Therefore, a refund payment of \$250 should be processed and sent to the applicant.

Cc: McCoy – Division of Competitive Markets & Enforcement

*ok to close
7-15-05
NJK*

DOCUMENT NUMBER-DATE

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