

State of Florida



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-M-E-M-O-R-A-N-D-U-M-

DATE: January 8, 2009

TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk

FROM: Beth W. Salak, Director, Division of Regulatory Compliance
Adam J. Teitzman, Attorney Supervisor, Office of the General Counsel

RE: Closure of Docket No. 080529-TP - Joint application for approval of indirect transfer of control of telecommunications facilities by Smart City Finance LLC and Hargray-Smart City Acquisition Co., LLC.

On December 2, 2008, the Commission issued Order No. PSC-08-0793-PAA-TP, in Docket No. 080529-TP, approving the indirect transfer of control of telecommunications facilities by Smart City Finance LLC and Hargray-Smart City Acquisition Co., LLC. Consummating Order No. PSC-08-0835-CO-TP, issued on December 24, 2008, made Order No. PSC-08-0793-PAA-TP effective and final.

Order No. PSC-08-0793-PAA-TP provided that Docket No. 080529-TP should be closed administratively upon notification by the Applicants that the transfer of control either had or had not been consummated. On January 7, 2009, the Commission received a joint report from the parties advising that the transfer of control was not consummated and will not be consummated. Therefore, this docket should be closed.

*ok to close 1-12-09
n/b*

In addition, the following confidential documents should be returned to the originator:

Document Number	Description
09165-08	Hargray (Rule) - (CONFIDENTIAL) Certain portions of response to staff's data request No. 2, dated 9/19/08.
08656-08	Hargray (Rule) - (CONFIDENTIAL) Financial statement.
07712-08	Hargray (Rule) - (CONFIDENTIAL) Portions of response to staff's data request No. 1.
07361-08	SCF/Hargray (Rule) - (CONFIDENTIAL) Certain portions of purchase agreement referenced in paragraph 2 of joint application for approval of indirect transfer of control of telecommunications facilities.

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CLK *McLean*

Cc: Brenda Merritt - RCP
Kiwanis Curry - RCP
Dale Buys - ECR
Jamie Morrow - GCL

DOCUMENT NUMBER-DATE

00271 JAN 12 8

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