

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public)	DOCKET NO. 891322-TI
Service Commission of IXC Certificate)	
No. 1961 issued to UNIVERSAL FIBER)	ORDER NO. 23278
NETWORK, INC. d/b/a UNIVERSAL FIBER)	
NETWORK)	ISSUED: 7-31-90
)	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 FRANK S. MESSERSMITH

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING 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 formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

On November 13, 1989, we were informed that Universal Fiber Network, Inc. d/b/a Universal Fiber Network's (UFNI's) mail was being returned with no forwarding address. UFNI did not report any gross operating revenues for 1988 or 1989, nor did UFNI's annual report for 1988 or 1989 show any customers. On April 18, 1998, Order No. 22834 was issued requesting that UFNI show cause in writing why its certificate should not be cancelled in accordance with Chapter 25-24.474(1), Florida Administrative Code, for failure to provide service for a period of six months.

UFNI has failed to respond to Order No. 22834. Accordingly, we hereby cancel UFNI's IXC Certificate No. 1961.

Based on the foregoing, it is

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By ORDER of the Florida Public Service Commission that Universal Fiber Network, Inc. d/b/a Universal Fiber Network's IXC Certificate is cancelled for failure to respond to Order No. 22834, which has the company under a show cause for failure to provide service for six months. It is further

ORDERED that this docket shall be closed after the effective date of the Proposed Agency Action order, and issuance of the consummating order, assuming no protest is received.

By ORDER of the Florida Public Service Commission, this 31st day of JULY, 1990.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

PAK

by: Kay Flynn
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 21, 1990.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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 of the effective date 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.