

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for transfer of ) DOCKET NO. 940306-TI  
assets and control of ) ORDER NO. PSC-95-0405-FOF-TI  
Interexchange Telecommunications ) ISSUED: March 23, 1995  
Certificate No. 3481 from )  
Communique Telecommunications, )  
Inc. d/b/a Logically to West )  
Coast Telecommunications, Inc. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman  
J. TERRY DEASON  
JOE GARCIA  
JULIA L. JOHNSON  
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION  
ORDER RESCINDING ORDER NO. PSC-94-0651-FOF-TI  
AND REINSTATING TWO CERTIFICATES OF PUBLIC CONVENIENCE  
AND NECESSITY TO THE ORIGINAL HOLDERS

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 a formal proceeding in accordance with Rule 25-22.029, Florida Administrative Code.

On March 28, 1994, Charles H. Helein, Counsel for Communique Telecommunications, Inc. d/b/a Logically (Logically), and Michael Mlinar, Counsel for West Coast Telecommunications, Inc. (West Coast), filed a joint letter requesting approval of a transfer of assets from Logically to West Coast. The companies also requested that control of Certificate No. 3481, held by Logically, be transferred to West Coast. By Order PSC-94-0651-FOF-TI, issued on May 26, 1994, the requests were granted.

A second joint letter dated December 19, 1994, however, indicated that both parties wished to withdraw the requests for approval of the transfer and control of the certificate. The transfer had not proceeded as planned and both companies requested

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that the Order be rescinded so that both companies could continue to operate under the respective certificates.

Upon consideration, because the transfer of assets and control did not occur, Order No. PSC-94-0651-FOF-TI is rescinded and the Certificates of Public Convenience and Necessity as granted to both companies are reinstated.

This docket will be closed following the expiration of the period specified in the Notice of Further Proceedings or Judicial Review section of this Order unless an appropriate petition, protesting the application, is filed by one whose substantial interests may or will be affected by this proposed agency action, as provided in Rules 25-22.029 and 25-22.036(7)(a), Florida Administrative Code.

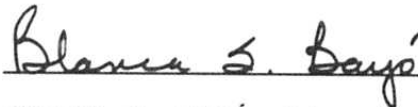
It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-94-0651-FOF-TI, issued May 26 1994, is rescinded. It is further

ORDERED that Certificate No. 3481, granted to Communique Telecommunications, Inc. d/b/a Logically, and Certificate No. 3487, granted to West Coast Telecommunications, Inc. are reinstated to each respective company. It is further

ORDERED that, unless a person whose interests are substantially affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, the certificate shall become effective on the following date and this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 23rd day of March, 1995.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

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

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 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on April 13, 1995.

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.

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 wastewater 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.