

MEMORANDUM

October 20, 1998

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RECORDS AND REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (McKINNEY) *JCM*

RE: DOCKET NO. 981058-~~TC~~ - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 5673 issued to Worldwide Telecommunications & Services, Ltd. For violation of Rule 25-24.480(2)(a) and (b), F.A.C., Records and Reports; Rules Incorporated.

OK for MLD

PSC-98-1404-FOF-TI

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER IMPOSING FINE OR CANCELLING INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE to be issued in the above-referenced docket. (Number of pages in order - 4)

JCM/slh
 Attachment
 cc: Division of Communications
 I:981058or.jcm

see 1, 2, 3

*1 Certificate -
10/22/98*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of
Interexchange Telecommunications
Certificate No. 5673 issued to
Worldwide Telecommunications &
Services, Ltd. for violation of
Rule 25-24.480(2)(a) and (b),
F.A.C., Records and Reports;
Rules Incorporated.

DOCKET NO. 981058-TI
ORDER NO. PSC-98-1404-FOF-TI
ISSUED: October 21, 1998

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION
ORDER IMPOSING FINE OR CANCELLING INTEREXCHANGE
TELECOMMUNICATIONS 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 a formal proceeding,
pursuant to Rule 25-22.029, Florida Administrative Code.

Worldwide Telecommunications & Services, Ltd. (Worldwide)
currently holds Certificate of Public Convenience and Necessity
No. 5673, issued by the Commission on July 14, 1998, authorizing
the provision of Interexchange Telecommunications service.
Pursuant to Rule 25-24.480(2)(a) and (b), F.A.C., Records &
Reports; Rules Incorporated:

[E]ach company shall file updated information
for the following items with the Division of
Communications and the Division of Records and

DOCUMENT NUMBER DATE

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RECORDS & REPORTING

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Reporting within 10 days after such changes occur.

(a) The address of the certificate holder's main corporate and Florida offices (if any)...

(b) Telephone number, name, and address of the individual who is to serve as primary liaison ...

We mailed Worldwide's original tariff on July 17, 1998, and the United States Postal Service returned it to the Commission on July 29, 1998. Commission staff attempted to call Worldwide at the telephone number and the facsimile number listed in the Master Commission Directory to no avail. It has been well over 10 days since the mail was returned and phone calls were attempted, and the Commission has not been informed of Worldwide's correct mailing address, phone number, or liaison information.

For the reason described above, pursuant to Rule 25-24.474(1)(b) and (c), Florida Administrative Code, we find it appropriate to cancel Worldwide's certificate, unless the company pays a \$1,000 fine for failure to comply with Section 364.336, Florida Statutes, and Rule 25-24.480(2)(a) and (b), F.A.C., Records and Reports; Rules Incorporated. Worldwide must comply with this requirement within five business days from the date this Order becomes final. The fine will be remitted to the Comptroller for deposit in the State of Florida General Revenue Fund, pursuant to Section 364.516, Florida Statutes.

When the fine is received, this docket shall be closed. Should Worldwide fail to comply with this Order within five business days from the date this Order becomes final, Worldwide shall have its certificate canceled and the Docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Worldwide Telecommunications & Services, Ltd. must pay the \$1,000 fine to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-24.480(2)(a) and (b), F.A.C., Records and Reports; Rules Incorporated, within five business days from the date this Order becomes final. The fine will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

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ORDERED that should Worldwide Telecommunications & Services, Ltd. fail to comply with this Order, its certificate shall be canceled, and the Docket shall be closed. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed upon payment of the fine, or upon cancellation of the certificate.

By ORDER of the Florida Public Service Commission this 21st day of October, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

JCM

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.

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Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on November 11, 1998.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date.

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 substantially 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.