

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: APPLICATION OF SOUTHERNNET, INC.) DOCKET NO. 890839-TI
 FOR TRANSFER OF IXC CERTIFICATE NO. 47) ORDER NO. 22104
 FROM SOUTHERNNET SERVICES, INC.) ISSUED: 10-30-89
)

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

NOTICE OF PROPOSED AGENCY ACTIONORDER GRANTING TRANSFER OF IXC CERTIFICATE NO. 47

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 June 28, 1989, SouthernNet Systems, Inc. applied to this Commission for approval of its merger with SouthernNet Services, Inc. The applicant, SouthernNet, Inc. is a Georgia corporation engaged in the long distance telecommunications business in Georgia and other states. and SouthernNet Services, Inc. is a Florida Corporation and holder of Commission Reseller Certificate No. 47.

As part of an internal corporate restructuring, SouthernNet Services, Inc., will be merged into SouthernNet, Inc. SouthernNet, Inc., states that the actual operations of the present certificate holder will not be affected by the transaction, as all such operations and customer services will continue uninterrupted. SouthernNet, Inc., states that all

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customers will be furnished written notice of the change in name.

In addition to the change in corporate organization and formal name, it appears that SouthernNet, Inc., registered under the fictitious name of Telecom USA on September 4, 1989.

After having considered SouthernNet, Inc.'s application, we believe the merger will enable more efficient service to be provided to Florida customers. Therefore, the merger of SouthernNet Services, Inc., into SouthernNet, Inc., is approved.

The merger granted to SouthernNet, Inc. will authorize it to operate as an interexchange telephone company providing long distance telecommunications service within the State of Florida, using Certificate No. 47. The authority will be statewide to Commission statutes and rules pertaining to the services identified in the applicant's tariff.

Based on the foregoing, it is hereby.

ORDERED that the application to merge SouthernNet Services, Inc., into SouthernNet, Inc. is approved effective at completion of the protest period, if no protest is received. It is further

ORDERED that SouthernNet, Inc., shall have the authority to operate as an interexchange telephone company providing long distance telecommunications service within the State of Florida using Certificate No. 47. It is further,

ORDERED that, if there is no protest, this docket shall be closed after the effective date of the proposed agency action (PAA) order, and issuance of the consummating order.

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By ORDER of the Florida Public Service Commission,
this 30th day of OCTOBER, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

JSR

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.

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

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Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on November 20, 1989 .

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.