

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 951558-TI
merger of MIDCOM Communications,) ORDER NO. PSC-96-0405-FOF-TI
Inc. with Fairfield County) ISSUED: March 21, 1996
Telephone Corporation and)
cancellation of Fairfield's)
Interexchange Telecommunications)
Certificate No. 2989.)

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 APPROVING TRANSFER OF CONTROL

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

By letter dated November 30, 1995, MIDCOM Communications, Inc., (MIDCOM) petitioned for approval of a transaction whereby a merger would be accomplished through a merger of Fairfield County Telephone Corporation, with and into MIDCOM.

Because Fairfield will no longer exist as a separate corporate entity after the merger, MIDCOM, as the surviving entity requests that Fairfield's certificate, number 2989, to provide interexchange telecommunications service be cancelled. Fairfield's customers have been provided notice of the merger and will experience no interruption of service.

DOCUMENT NUMBER-DATE
03358 MAR 21 1996
FPSC-RECORDS/REPORTING

ORDER NO. PSC-96-0405-FOF-TI
DOCKET NO. 951558-TI
PAGE 2

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission the proposed merger of MIDCOM Communications, Inc. and Fairfield County Telephone Corporation, is hereby approved as outlined in the body of this Order. It is further

ORDERED that the request by MIDCOM Communications, Inc., to cancel Fairfield County Telephone Corporation's Interexchange Telecommunications Certificate No. 2989, is granted. 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 21st day of March, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

SCL

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 his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on April 11, 1996.

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.