

MEMORANDUM

February 16, 1998

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1.2  
PSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *KP made for mcb*

RE: DOCKET NOS. 980040-TI, 980080-TI - REQUEST FOR CANCELLATION OF CERTIFICATES TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICES.

PSC-98-0288-FOF-T7

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

KMP/anr  
Attachment  
cc: Division of Communications  
I: 980080.kmp

*me ps!*

*3/9/98*

*faxed 10/12  
mailed - 1/2*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Requests for  
cancellation of certificates to  
provide interexchange  
telecommunications service.

MSI Communications  
Certificate No. 553  
TW Communications, Inc. d/b/a  
TWC, Inc.  
Certificate No. 3976

DOCKET NO. 980040-TI

DOCKET NO. 980080-TI

ORDER NO. PSC-98-0288-FOF-TI  
ISSUED: February 16, 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 CANCELLING INTEREXCHANGE  
TELECOMMUNICATIONS CERTIFICATES

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.

The entities listed below have requested the cancellation of  
their interexchange telecommunications services certificates.

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NUMBER</u>
MSI Communications	553
TW Communications, Inc. d/b/a TWC, Inc.	3976

DOCUMENT NUMBER-DATE  
02268 FEB 16 98  
FPSC-RECORDS/REPORTING

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Each entity shall return its certificate to this Commission. In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual regulatory assessment fee of \$50 if the certificate was active during any portion of the calendar year. A Regulatory Assessment Fee Return notice will be mailed to each of the above entities. Neither the cancellation of their certificates nor the failure to receive a Regulatory Assessment Fee Return notice shall relieve these entities from their obligation to pay due and owing regulatory assessment fees.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the interexchange telecommunications services certificates listed herein are cancelled. It is further

ORDERED that each entity shall return its certificate to this Commission and remit all due and owing regulatory assessment fees. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further


ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. 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 25-22.036, 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, these Dockets shall be closed.

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By ORDER of the Florida Public Service Commission, this 16th  
day of February, 1998.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

KMP

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.

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 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 9, 1998.

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.

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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 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.