

MEMORANDUM

NOVEMBER 12, 1998

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RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PERA) *KMP/ncB*

RE: DOCKET NOS. 981223-TI, 981226-TI, 981336-TI - REQUEST
FOR CANCELLATION OF CERTIFICATES TO PROVIDE INTEREXCHANGE
TELECOMMUNICATIONS SERVICES.

98-1500-FDF-TI

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: 981336.kmp

see 1

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Western Tele-Communications,
Inc./Retail Sales Group d/b/a
People Link by TCI
Certificate No. 5634
Security Telecom Corporation
Certificate No. 4742
Athena International, L.L.C.
Certificate No. 4469

DOCKET NO. 981223-TI

DOCKET NO. 981226-TI

DOCKET NO. 981336-TI

ORDER NO. PSC-98-1500-FOF-TI
ISSUED: November 13, 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 complied with the provision of
Rule 25-24.474(2), Florida Administrative Code, by providing
adequate notice in writing of their requests for cancellation of

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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their Interexchange Telecommunications (IXC) certificates and by submitting their regulatory assessment fees for 1997. Accordingly, we find it appropriate to cancel the certificates listed below, effective on the dates shown.

| <u>ENTITY'S NAME</u> | <u>CERTIFICATE NO.</u> | <u>EFFECTIVE DATE</u> |
|---|------------------------|-----------------------|
| Western Tele-Communications, Inc./Retail Sales Group d/b/a People Link by TCI | 5634 | 09/24/98 |
| Security Telecom Corporation | 4742 | 08/24/98 |
| Athena International, L.L.C. | 4469 | 10/05/98 |

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 for 1998 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 for 1998 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 hereby cancelled, effective on the dates shown above. It is further

ORDERED that each entity shall return its certificate to this Commission and remit all due and owing regulatory assessment fees for 1998. 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

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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, these Dockets shall be closed.

By ORDER of the Florida Public Service Commission, this 13th day of November, 1998.



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.

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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 December 4, 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.