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RECORDS AND REPORTING

M E M O R A N D U M

September 18, 2000

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (BANKS) *FRB* *MC*

RE: DOCKET NO. 000579-TX - REQUEST FOR APPROVAL OF CAPITAL STOCK PURCHASE OF MAX-TEL COMMUNICATIONS, INC. D/B/A FLORIDA'S MAX-TEL COMMUNICATIONS, INC. (HOLDER OF ALEC CERTIFICATE NO. 5292) BY EQUALNET COMMUNICATIONS CORP.

*1666 FOF*

Attached is an ORDER VACATING ORDER NO. PSC-00-1248-PAA-TX, to be issued in the above-referenced docket. (Number of pages in order - 2)

*2*

FRB/anc  
 Attachment  
 cc: Division of Regulatory Oversight (Williams)  
 I: 000579o.frb

*Forwarded - 3/0.  
 unfiled -*

*Doc. # 11686-00*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of capital stock purchase of Max-Tel Communications, Inc. d/b/a Florida's Max-Tel Communications, Inc. (holder of ALEC Certificate No. 5292) by Equalnet Communications Corp.

DOCKET NO. 000579-TX  
ORDER NO. PSC-00-1666-FOF-TX  
ISSUED: September 18, 2000

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
E. LEON JACOBS, JR.  
LILA A. JABER

ORDER VACATING ORDER NO. PSC-00-1248-PAA-TX

On May 11, 2000, Max-Tel Communications, Inc. d/b/a Florida's Max-Tel Communications, Inc. (Max-Tel) filed a request for approval of purchase of capital stock. We approved the purchase of the capital stock in Order No. PSC-00-1248-PAA-TX, issued July 10, 2000.

However, on July 13, 2000, our staff was notified by fax from Mark Maxey, President, Max-Tel that the sale of capital stock did not transpire. Further, on August 1, 2000, our staff was again notified by fax from Mr. Mark Maxey, requesting that the proposed agency action be vacated. Therefore, we find it appropriate to vacate Order No. PSC-00-1248-PAA-TI.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. PSC-00-1248-PAA-TX is hereby vacated. It is further

ORDERED that this docket is closed.

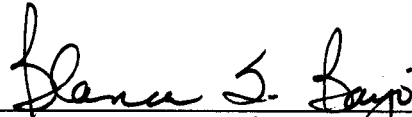
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FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-1666-FOF-TX  
DOCKET NO. 000579-TX  
PAGE 2

By ORDER of the Florida Public Service Commission this 18th  
day of September, 2000.



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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

FRB

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/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 after the issuance 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.