

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for cancellation) DOCKET NO. 930877-TI
of Interexchange) ORDER NO. PSC-94-0865-FOF-TI
Telecommunications Service) ISSUED: July 18, 1994
Certificate No. 2393 by)
INTEGRETEL, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER DENYING PETITION TO CANCEL CERTIFICATE

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.

On September 3, 1993, Integretel, Inc. (Integretel or the Company) filed a Petition requesting the cancellation of Certificate of Public Convenience and Necessity No. 2393. In support of its request, Integretel referenced our Order No. 20489, issued December 21, 1988, where we set forth the requirements for Alternative Operator Services (AOS) providers. In that Order, we found that a billing and collection agency that offers its services on a stand-alone basis through the use of another carrier's transmission facilities and then does the billing in its own name is another form of AOS. (FPSC Order No. 20489, p. 7)

In its Petition, Integretel stated that in 1989, at the time of Order No. 20489, the major Local Exchange Companies (LECs) could not bill in the name of the certificated Interexchange Carrier (IXC) where the billing agency was billing for several IXCs. Thus, the LECs billed Integretel in Integretel's name, rendering it an AOS provider. Integretel stated further that the vast majority of LECs within Florida now have the ability to bill in the IXC's name. Therefore, it no longer intended to bill any calls within Florida

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under its name. However, Commission test calls with a billing date of March 25, 1994, several months after Integretel's Petition, revealed the Company had billed an intrastate call in its own name.

Therefore, since the Company appears to be continuing to bill intrastate calls in its own name, we find that it should continue to be certificated as an AOS provider under the requirements established by Order No. 20489.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition by Integretel, Inc. (Integretel or the Company) requesting the cancellation of Certificate of Public Convenience and Necessity No. 2393 is hereby denied. It is further

ORDERED that, unless a person whose interests are substantially affected by our actions herein files a protest in the form and within the time set forth below in the Notice of Further Proceedings or Judicial Review, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 18th day of July, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

by: Kay Flynn
Chief, Bureau of Records

MMB

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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 8, 1994.

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.