

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for transfer of) DOCKET NO. 961314-TP
Interexchange Telecommunications) ORDER NO. PSC-97-0172-FOF-TP
Certificate No. 4100 and) ISSUED: February 13, 1997
Alternative Local Exchange)
Telecommunications Certificate)
No. 4099 from Payphone)
Consultants, Inc. to The Other)
Phone Company, Inc.)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF 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.

On October 30, 1996, Payphone Consultants, Inc. and The Other Phone Company, Inc. jointly requested that Interexchange Telecommunications Certificate Number 4100 and Alternative Local Exchange Telecommunications Certificate Number 4099 be transferred from Payphone Consultants, Inc. to The Other Phone Company, Inc.

Both companies have complied with Rule 25-24.473, Florida Administrative Code, regarding the transfer of interexchange certificates, and Rule 25-24.815, Florida Administrative Code, regarding the transfer of alternative local exchange certificates. Overall, the transfer is in the public interest; however, we are concerned that the name "The Other Phone Company, Inc." may be misleading and might allow the company to acquire a customer's business by default. We, therefore, approve the transfer. Interexchange Telecommunications Certificate Number 4100 and Alternative Local Exchange Certificate Number 4099 shall be amended

DOCUMENT NUMBER-DATE

01621 FEB 13 5

FPSC-RECORDS/REPORTING

ORDER NO. PSC-97-0172-FOF-TP
DOCKET NO. 961314-TP
PAGE 2

to reflect that The Other Phone Company, Inc. is the holder of these certificates.

Based on the foregoing, it is

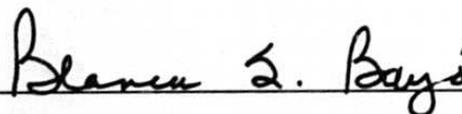
ORDERED by the Florida Public Service Commission that the request for transfer of Interexchange Telecommunications Certificate Number 4100 and Alternative Local Exchange Telecommunications Certificate Number 4099 from Payphone Consultants, Inc. to The Other Phone Company, Inc. is hereby approved. It is further

ORDERED that Interexchange Telecommunications Certificate Number 4100 and Alternative Local Exchange Certificate Number 4099 shall be amended to reflect that The Other Phone Company, Inc. is the holder of these certificates.

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, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 13th day of February, 1997.



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.

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 6, 1997.

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.