

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for
certificates to provide
interexchange telecommunications
service by:

erbia Network, Inc.
Blackstone Communications
Company
ACG Telecom Services
Incorporated
RDST, Inc.
Florida Digital Network, Inc.
Navigator Telecommunications,
LLC

DOCKET NO. 990427-TI
DOCKET NO. 990428-TI

DOCKET NO. 990335-TI

DOCKET NO. 990503-TI
DOCKET NO. 990451-TI
DOCKET NO. 990338-TI

ORDER NO. PSC-99-1181-PAA-TI
ISSUED: June 8, 1999

The following Commissioners participated in the disposition of
this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATES TO PROVIDE
INTEREXCHANGE TELECOMMUNICATIONS SERVICE

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.

DOCUMENT NUMBER-DATE

07018 JUN-89

FPSC-RECORDS/REPORTING

ORDER NO. PSC-99-1181-PAA-TI
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The entities listed below have applied for certificates to provide Interexchange Telecommunications (IXC) service. Upon review of their applications, it appears that these entities have sufficient technical, financial, and managerial capability to provide such service, as required under Section 364.337(3), Florida Statutes. Accordingly, we hereby grant each of these entities the certificates depicted below, which shall authorize them individually to provide interexchange telecommunications services.

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>
erbia Network, Inc.	7042
Blackstone Communications Company	7043
ACG Telecom Services Incorporated	7044
RDST, Inc.	7047
Florida Digital Network, Inc.	7048
Navigator Telecommunications, LLC	7041

If this Order becomes final and effective, it will serve as each entity's certificate. It should, therefore, be retained by these entities as proof of certification.

IXCs are subject to Chapter 25-24, Florida Administrative Code, Part X, Rules Governing Telephone Service Provided by Interexchange Telephone Companies. IXCs are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

Based on the foregoing,

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide interexchange telecommunications service, subject to the terms and conditions stated in the body of this Order. It is further

ORDERED that this Order will serve as each entity's certificate and should, therefore, be retained by these entities as proof of certification. It is further

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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 upon the issuance of a Consummating Order, 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 8th day of June, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

KMP

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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.

As identified in the body of this order, our action granting certificates to provide interexchange telecommunications services 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, at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 29, 1999. If such a petition is filed, 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. In the absence of such a petition, this order shall become effective and final upon the issuance of a Consummating Order.

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.

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 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 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.

M E M O R A N D U M

June 7, 1999

RECEIVED-FPSC

99 JUN -7 AM 10:40

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *kmp CB*

RE: DOCKET NOS. 990427-TI, 990428-TI, 990335-TI, 990503-TI,
990451-TI, 990338-TI - APPLICATIONS FOR INTEREXCHANGE
TELECOMMUNICATIONS SERVICES.

99-1181-PAA

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING
CERTIFICATES TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE,
to be issued in the above-referenced docket. (Number of pages in
order - *84*)

KMP/anr
Attachment
cc: Division of Communications
I: 990338.kmp

*See 1, 2, 3, 5
Verbal*

Forwarded 15/99

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Date 6, 9, 99
 Number of Originals 4 Copies Per Original 245
 Requested By RWH

Item Presented
 Agenda For (Date) _____ Order No. 99-181 in Docket No. 990427
 Notice of _____ For (Date) _____ in Docket No. ✓
 Other _____

Special Handling Instructions 990338

Distribution/Mailing		Distribution/Mailing	
Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>19</u>	<u>Commission Offices</u>	<u>5</u>	<u>(5 copies DLT)</u>
<u>13</u>	<u>Docket Mailing List - Mailed</u>		
<u>(13)</u>	<u>Docket Mailing List - Faxed</u>		

Note: Items must be mailed and/or returned within one working day after issue unless specified here.

Print Shop Verification
 Job Number 116 Verified By Michael
 Date and Time Completed 6/10 Job Checked For Correctness and Quality (Initial) E

Mail Room Verification
 Date Mailed _____ Verified By _____