

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by CoreComm  
Newco, Inc., parent company of  
OCOM Corporation d/b/a Cellular  
Long Distance (holder of IXC  
Certificate No. 4047), for  
approval of transfer of assets  
of USN Communications Long  
Distance, Inc. (holder of IXC  
Certificate No. 4094) to  
CoreComm Newco, Inc., and  
cancellation of Certificate No.  
4094.

DOCKET NO. 990936-TI  
ORDER NO. PSC-99-1861-PAA-TI  
ISSUED: September 21, 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 APPROVING TRANSFER OF ASSETS AND CANCELING  
INTEREXCHANGE TELECOMMUNICATIONS 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  
substantially affected files a petition for a formal proceeding,  
pursuant to Rule 25-22.029, Florida Administrative Code.

Section 364.33, Florida Statutes, provides that a person may  
not acquire ownership or control of any telecommunications  
facility, or any extension thereof for the purpose of providing  
telecommunications services to the public, including the  
acquisition, transfer, or assignment of majority organizational  
control or controlling stock ownership, without prior approval from  
this Commission.

DOCUMENT NUMBER-DATE

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PRSC-RECORDS/REPORTING

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By letter dated July 16, 1999, CoreComm Newco, Inc. (CoreComm Newco), OCOM Corporation d/b/a Cellular Long Distance (Cellular Long Distance), and USN Communications Long Distance, Inc. (USN Communications) filed with this Commission an application for approval of transfer of assets from USN Communications to CoreComm Newco. The companies further requested the cancellation of USN Communication's Interexchange Telecommunications (IXC) Certificate No. 4094. CoreComm Newco is the parent company of Cellular Long Distance. Cellular Long Distance is the holder of IXC Certificate No. 4047. Cellular Long Distance has stated that it will continue to operate under its existing certificated name and tariff on file with this Commission.

In accordance with our authority under Section 364.33, Florida Statutes, to approve the acquisition or transfer of majority organizational control or controlling stock ownership of a telecommunications company providing service in Florida, we have reviewed the Petition of CoreComm Newco, Cellular Long Distance, and USN Communications, and find it appropriate to approve it. We have based our review and decision upon an analysis of the public's interest in efficient, reliable telecommunications service. Our decision does not address the potential impact of the transfer on the competitive market in Florida, or on the companies' or their competitors' interests. We emphasize, however, that our approval of the Petition pursuant to our authority under Section 364.33, Florida Statutes, does not preclude us from addressing any of our concerns that may arise regarding this transaction to the appropriate federal or state agencies.

USN Communications has complied with the provision of Rule 25-24.474(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its IXC certificate and by submitting its regulatory assessment fees (RAFs) for 1998. Accordingly, we find it appropriate to cancel IXC Certificate No. 4094.

USN Communications shall return its certificate to this Commission. In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAFs of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for 1999 will be mailed to USN Communications. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for 1999 shall relieve USN Communications from its obligation to pay RAFs for 1999.

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Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that CoreComm Newco, Inc., OCOM Corporation d/b/a Cellular Long Distance, and USN Communications Long Distance, Inc.'s request for approval of transfer of assets from USN Communications Long Distance, Inc. to OCOM Corporation d/b/a Cellular Long Distance is hereby approved. It is further

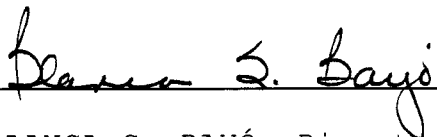
ORDERED that USN Communications Long Distance, Inc. Certificate No. 4094 to provide Interexchange Telecommunications services is hereby canceled. It is further

ORDERED that USN Communications Long Distance, Inc. shall return its certificate to this Commission and remit Regulatory Assessment Fees for 1999. 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, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 21st day of September, 1999.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( 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 that is available under Section 120.57, 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 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.

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 October 12, 1999.

In the absence of such a petition, this order shall become final and effective 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.

M E M O R A N D U M

September 14, 1999

RECEIVED-PPSC

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RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

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

RE: DOCKET NO. 990936-TI - REQUEST BY CORECOMM NEWCO, INC.,  
PARENT COMPANY OF OCOM CORPORATION D/B/A CELLULAR LONG  
DISTANCE (HOLDER OF IXC CERTIFICATE NO. 4047), FOR  
APPROVAL OF TRANSFER OF ASSETS OF USN COMMUNICATIONS LONG  
DISTANCE, INC. (HOLDER OF IXC CERTIFICATE NO. 4094) TO  
CORECOMM NEWCO, INC., AND CANCELLATION OF CERTIFICATE NO.  
4094.

1861-PAA

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER APPROVING  
TRANSFER OF ASSETS AND CANCELING INTEREXCHANGE TELECOMMUNICATIONS  
CERTIFICATE, to be issued in the above-referenced docket. (Number  
of pages in order - 4)

KMP/anc  
Attachment  
cc: Division of Communications  
I: 990936.kmp