



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: DECEMBER 7, 2000

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYÓ)

FROM: DIVISION OF REGULATORY OVERSIGHT (T.WILLIAMS) *T.W.*
DIVISION OF LEGAL SERVICES (K,PENA) *KMP FEB 2.24.01*

RE: DOCKET NO. 000263-TP - REQUEST FOR NAME CHANGE ON IXC
CERTIFICATE NO. 7255 AND ALEC CERTIFICATE NO. 7256 FROM
AVANA COMMUNICATIONS CORPORATION D/B/A AVANACOM TO AVANA
COMMUNICATIONS.

AGENDA: 12/19/00 - REGULAR AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\RGO\WP\000263.RCM

CASE BACKGROUND

By letter dated February 25, 2000, Avana Communications Corporation d/b/a Avana (Avana), holder of Interexchange Telecommunications Company (IXC) Certificate No. 7255 and Alternative Local Exchange Company (ALEC) Certificate No. 7256, requested that both the IXC and ALEC certificate be amended to reflect a name change from Avana Communications Corporation d/b/a Avana to Avana Communications.

Since that time, Avana has failed to register the proposed name change with the Florida Secretary of State, Division of Corporations. Further, on August 9, 2000, they were informed by letter that if staff did not hear from them by August 30, 2000, staff would recommend that Avana's request to change their name be denied. As of this date, no reply has been received.

DOCUMENT NUMBER-DATE

15699 DEC-78

FPSC-RECORDS/REPORTING

DOCKET NO. 000263-1P
DATE: DECEMBER 7, 2000

DISCUSSION OF ISSUES

ISSUE 1: Should Avana Communications Corporation d/b/a Avacom request for a name change to Avana Communications, Inc. d/b/a be granted?

RECOMMENDATION: No, Avana Communications Corporation d/b/a Avacom request for a name change to Avana Communications should be denied. (Williams)

STAFF ANALYSIS: Upon review of the Department of State, Division of Corporations' records Avana has failed to register the proposed name change with the Division of Corporations. Further, on August 9, 2000, they were informed by letter that if staff did not hear from them by August 30, 2000, staff would recommend that Avana's request to change their name be denied. As of this date, no reply has been received.

The Commission is vested with jurisdiction on this matter pursuant to Sections 364.335 and 364.337, Florida Statutes.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: If no person whose substantial interests are affected by the Commission's Proposed Agency Action, files a protest within 21 days of the issuance date of the order, this docket should be closed upon issuance of a Consummating Order. (Banks)

STAFF ANALYSIS: This docket should be closed, upon issuance of a Consummating Order, if no person whose substantial interests are affected by the Commission's Proposed Agency Action, files a protest within 21 days of the issuance date of the order.