

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of merger of Conestoga Communications, Inc., an affiliate of TeleBeam, Incorporated (holder of IXC Certificate No. 7283), into TeleBeam, and name change on Certificate No. 7283 to CEI Networks, Inc.

DOCKET NO. 010091-TI
ORDER NO. PSC-01-1526-PAA-TI
ISSUED: July 23, 2001

The following Commissioners participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING MERGER

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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By letter dated January 15, 2001, Conestoga Communications, Inc. (CCI) and Telebeam, Incorporated (Telebeam) filed with this Commission an application for approval of merger of CCI into Telebeam. Telebeam has stated that the transaction will be virtually transparent to its customers in Florida and it will not affect the services being provided. The companies further requested a name change on Telebeam's Interexchange Telecommunications (IXC) Certificate No. 7283 from Telebeam to CEI Networks, Inc.

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 CCI and Telebeam, 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.

Upon review of the Department of State, Division of Corporations' records, it appears that Telebeam has properly registered the new corporate name. Accordingly, we find it appropriate to amend Certificate No. 7283 to reflect the new corporate name.

This Order will serve as the amended IXC Certificate of Public Convenience and Necessity No. 7283 for CEI Networks, Inc. CEI Networks, Inc. should retain this Order as evidence of the name change. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.33 and 364.335, Florida Statutes.

Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that Conestoga Communications, Inc. and Telebeam, Incorporated's request for approval of merger of Conestoga Communications, Inc. into Telebeam, Incorporated is hereby approved. It is further

ORDERED that the request by Telebeam, Incorporated to change the name on Certificate No. 7283 from Telebeam, Incorporated to CEI Networks, Inc. is hereby approved. It is further

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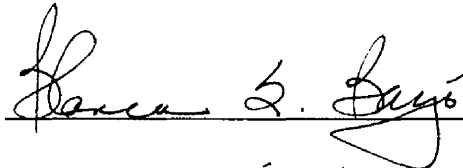
ORDERED that this Order will serve as CEI Networks, Inc.'s amended certificate and that this Order should be retained as evidence of the name change. It is further

ORDERED that the name change will be effective upon issuance of 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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" 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 23rd Day of July, 2001.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

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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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 13, 2001.

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.