

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint application for approval of acquisition of assets of Premiere Communications, Inc. (holder of IXC Certificate No. 2958) by Voicecom Telecommunications, LLC, and for transfer of and name change on Certificate No. 2958 to Voicecom Telecommunications, LLC.

DOCKET NO. 020921-TI  
ORDER NO. PSC-03-0387-PAA-TI  
ISSUED: March 20, 2003

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON

NOTICE OF PROPOSED AGENCY ACTION  
ORDER APPROVING ACQUISITION OF ASSETS AND TRANSFER OF AND NAME  
CHANGE ON 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.

On August 5, 2002, Premiere Communications, Inc. (Premiere) and VoiceCom Telecommunications, LLC (VoiceCom) filed with this Commission a joint request for transfer of and name change on Interexchange Telecommunications (IXC) Certificate No. 2958 from Premiere to VoiceCom.

DOCUMENT NUMBER-DATE

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FPSC-0387-PAA-TI CLERK

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.

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 Premiere and VoiceCom, 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.

Further, Premiere and VoiceCom have complied with Rule 25-24.473, Florida Administrative Code, regarding the transfer of IXC certificates. We find the transfer to be in the public interest and, therefore, approve the transfer. IXC Certificate No. 2958 shall be amended to reflect that VoiceCom is the holder of this certificate.

If this Order becomes final and effective, it shall serve as VoiceCom's certificate. VoiceCom should, therefore, retain this Order as proof of certification. We are vested with jurisdiction over this matter pursuant to Sections 364.33, 364.335 and 364.345, Florida Statutes.

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

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) of \$50 if the certificate was active during any portion of the calendar year. A RAfs Return notice will be mailed to both Premiere and VoiceCom for payment by January 30th. Neither the

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transfer of the certificate nor the failure to receive a RAFs Return notice shall relieve Premiere and VoiceCom from their obligation to pay RAFs the year 2003.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Premiere Communications, Inc. and VoiceCom Telecommunications, LLC's request for approval of acquisition of assets from Premiere Communications, Inc. to VoiceCom Telecommunications, LLC, is hereby approved. It is further

ORDERED that the request for transfer of and name change on Interexchange Telecommunications Certificate No. 2958 from Premiere Communications, Inc. to VoiceCom Telecommunications, LLC, is hereby approved. It is further

ORDERED that Interexchange Telecommunications Certificate No. 2958 shall be amended to reflect that VoiceCom Telecommunications, LLC, is the holder of this certificate. It is further

ORDERED that VoiceCom Telecommunications, LLC's Interexchange Telecommunications Certificate No. 2958 is subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as VoiceCom Telecommunications, LLC, certificate and should be retained by VoiceCom Telecommunications, LLC as proof of certification and as evidence of the name change. It is further

ORDERED that Premiere Communications, Inc. and VoiceCom Telecommunications, LLC, shall remit Regulatory Assessment Fees for the year 2003. 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

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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 20th Day of March, 2003.

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

By: Marcia Sharma  
Marcia Sharma, Assistant Director  
Division of the Commission Clerk  
and Administrative Services

( S E A L )

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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 April 10, 2003.

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/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.