

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of control of
Rightlink USA, Inc., holder of Certificate of
Necessity No. 8112 from Michael Ukwendo to
Min-Su Kang.

DOCKET NO. 130018-TX
ORDER NO. PSC-13-0198-PAA-TX
ISSUED: May 16, 2013

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TRANSFER OF CONTROL AND
CERTIFICATE OF NECESSITY

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.

By letter dated January 11, 2013, Rightlink USA, Inc. (Rightlink) filed with this Commission an application for Approval of Transfer of Control and Certificate of Necessity No. 8112 from Michael Ukwendo to Min-Su Kang. Rightlink is the holder of Certificate of Necessity No. 8112. Rightlink has stated that the transaction will be virtually transparent to its customers in Florida and it will not affect the services being provided. Rightlink has stated that it will continue to operate under its existing certificated name(s) and tariff(s) on file with this Commission. We are vested with jurisdiction over this matter pursuant to Section 364.33, Florida Statutes.

Section 364.33, Florida Statutes, provides that a person may not provide telecommunications services to the public without a certificate of necessity or authority. A certificate of necessity or authority may be transferred without prior approval of this Commission when the transfer is to the holder's parent company, an affiliate or another person holding a certificate of necessity or authority. Min-Su Kang does not satisfy these requirements, and therefore, prior approval of this Commission is required.

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

In accordance with our authority under Section 364.33, Florida Statutes, to approve the transfer of control and certificate of necessity of a telecommunications company providing service in Florida, we have reviewed the application of Rightlink and Min-Su Kang, 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.

Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that Rightlink USA, Inc.'s application for Approval of Transfer of Control and Certificate of Necessity No. 8112 from Michael Ukwendo to Min-Su Kang is hereby approved. 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 Commission Clerk, 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 16th day of May, 2013.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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 Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 6, 2013.

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.