

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for )  
Certificates to Provide )  
Interexchange Telecommunications )  
Services. )  
)  
American Telecommunications ) DOCKET NO. 970196-TI  
Systems, Inc. )  
NBCC of Broward, Inc. d/b/a ) DOCKET NO. 970099-TI  
Telesystems of South Florida )  
Atlas Equity, Inc. d/b/a ) DOCKET NO. 961367-TI  
Performance Telecom )  
North American Digicom ) DOCKET NO. 970126-TI  
Corporation )  
Strategic Telecom Systems, Inc. ) DOCKET NO. 961421-TI  
)  
) ORDER NO. PSC-97-0475-FOF-TI  
) ISSUED: April 24, 1997

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The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman  
SUSAN F. CLARK  
J. TERRY DEASON  
JOE E. GARCIA  
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION  
ORDER GRANTING CERTIFICATES TO PROVIDE  
INTEREXCHANGE TELECOMMUNICATIONS SERVICE

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.

The entities listed below have applied for certificates to provide interexchange telecommunications (IXC) service. Upon review of their applications, it appears that these entities have

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sufficient technical, financial, and managerial capability to provide such service, as required under Section 364.337(3), Florida Statutes. Accordingly, we hereby grant the following certificates to the corresponding entities listed below.

<u>ENTITY NAME</u>	<u>CERTIFICATE NUMBER</u>
American Telecommunications Systems, Inc.	4876
NBCC of Broward, Inc. d/b/a Telesystems of South Florida	4856
Atlas Equity, Inc. d/b/a Performance Telecom	4816
North American Digicom Corporation	4872
Strategic Telecom Systems, Inc.	4825

If this Order becomes final and effective, it will serve as each entity's certificate. It should, therefore, be retained by these entities as proof of their certification.

IXCs are subject to Chapter 25-24, Florida Administrative Code, Part X, Rules Governing Telephone Service Provided by Interexchange Telephone Companies. IXCs are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code. Further, in accordance with Order No. 16804, issued November 4, 1986, IXCs may not construct facilities to bypass a local exchange company without the prior approval of this Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide interexchange telecommunications service, subject to the terms and conditions stated in the body of this Order. It is further

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ORDERED that this Order will serve as each entity's certificate and should, therefore, be retained by these entities as proof of their certification. It is further

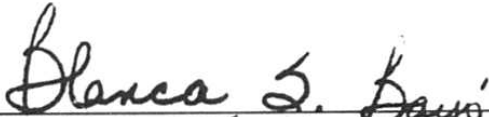
ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, 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, these Dockets shall be closed.

By ORDER of the Florida Public Service Commission, this 24th day of April, 1997.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( 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 or judicial review of Commission orders that is available under Sections 120.57 or 120.68, 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 or judicial review 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 and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), 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 May 15, 1997.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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.

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If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.