

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Cancellation by Florida) DOCKET NO. 940811-TI
Public Service Commission of) ORDER NO. PSC-94-1125-FOF-TI
Interexchange Telecommunications) ISSUED: September 13, 1994
Certificate No. 2663 issued to)
THE REAL PUBLIC TELEPHONE)
COMPANY, INC. for violation of)
Rule 25-24.480, F.A.C., Records)
and Reports; Rules Incorporated.)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER IMPOSING FINE OR CANCELLING 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.

Certificate Number 2663 was issued to The Real Public Telephone Company, Inc. on May 9, 1991. On July 29, 1994, mail sent to The Real Public Telephone Company, Inc. was returned to our Division of Records and Reporting by the U.S. Post Office with the notation of an expired forwarding address. Attempts to contact The Real Public Telephone Company, Inc. at the number provided to this Commission indicated the number had been disconnected.

Rule 25-24.480, Florida Administrative Code, Reporting Requirements, in pertinent part, states:

DOCUMENT NUMBER-DATE

09439 SEP 13 1994

FPSC-RECORDS/REPORTING

(3) Each company shall file updated information for the following items with the Division of Communications and the Division of Records and Reporting within 10 days after such changes occur.

(a) The address of the certificate holder's main corporate and Florida offices (if any), including street address and post office box, city, state and zip code.

(b) Telephone number, name, and address of the individual who is to serve as primary liaison with the commission in regards to the ongoing Florida operations of the certificated company.

The Real Public Telephone Company, Inc. is in apparent violation of Rule 25-24.480, Florida Administrative Code. The address and telephone number on file with this Commission are incorrect. Accordingly, we find it appropriate to order The Real Public Telephone Company, Inc. to pay a \$250 fine and update the contact information as required by Rule 25-24.480, Florida Administrative Code. If The Real Public Telephone Company, Inc. does not comply with this Order within 30 days of the date that this Order becomes final, then Certificate Number 2663 shall be cancelled and this docket shall be closed without further Commission action.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that The Real Public Telephone Company, Inc. update the information as required by Rule 25-24.480, Florida Administrative Code and pay a \$250 fine to the Florida Public Service Commission within 30 days of the date that this Order becomes final. It is further

ORDERED that when The Real Public Telephone Company, Inc. complies with this Order, this docket shall be closed. It is further

ORDERED that if The Real Public Telephone Company, Inc. does not comply with this Order with 30 days of the date that this Order becomes final, Certificate 2663 shall be cancelled and this docket shall be closed. It is further

ORDERED that, unless a person whose substantial interests are affected files a protest in the form and prior to the expiration of the date set forth in the Notice of Further Proceedings, below, this Order shall become final.

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By ORDER of the Florida Public Service Commission, this 13th
day of September, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on October 4, 1994.

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.

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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.

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.