

FERNANDEZ AMOCO
1390 N.W. 27TH AVE.
MIAMI, FL 33125

DEPOSIT DATE
D062 JAN 14 1999



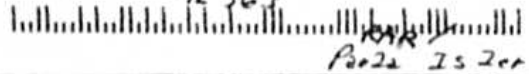
FL Public Service Commission
Office of the Comptroller
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Settlement for

Order #
PSC.99.0039.FOF.TC

5617
100.00 fine

32399+7013



Docket #
98 1171.TC

Page 252er

Security enhanced document. See back for details.

I.R.F., INC.
DBA FERNANDEZ AMOCO
1390 N.W. 27TH AVE.
MIAMI, FL 33125

5617

63-1135/660
01

PAY TO THE ORDER OF FL Public Service Commission \$ 100.00

One hundred DOLLARS

OB
OCEAN BANK
780 N W 42ND AVE
MIAMI, FLORIDA 33126

FOR Order # PSC.99.0039.FOF.TC

[Signature]

ACK AFA APP CAF CMU CTR EAG LEG LIN OPC RCH SEC WAS

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DOCUMENT NUMBER-DATE
00579 JAN 15 99
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2924 issued to I.R.F., Inc. d/b/a Fernandez Amoco for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

DOCKET NO. 981171-TC
ORDER NO. PSC-99-0039-FOF-TC
ISSUED: January 5, 1999

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION
ORDER ACCEPTING SETTLEMENT OFFER

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.

I.R.F., Inc. d/b/a Fernandez Amoco currently holds Certificate of Public Convenience and Necessity No. 2924, issued by the Commission on March 5, 1992, authorizing the provision of pay telephone service. This docket was opened to cancel Fernandez Amoco's certificate, unless Fernandez Amoco paid its delinquent 1997 regulatory assessment fees, which were due by January 30, 1998, along with statutory penalties and interest for the year 1997. After the docket was opened, but prior to staff filing a recommendation, Mario Fernandez called and advised he wanted to

keep his certificate, would pay the past due amount, and made a settlement proposal. This company has since paid all past due charges, including penalties and interest, submitted a proposed settlement offer of \$100, and agreed to take the necessary corrective action.

Pursuant to Rule 25-24.520, Florida Administrative Code, each company is allowed 10 days after a change occurs to file updated information indicating any changes in the certificate holder's address (including street name and address, post office box, city), telephone number and any change in the name and address of the individual who is serving as primary liaison with the commission. We find it appropriate to accept the \$100 settlement offer for failure to comply with the Commission rules. The settlement shall be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. When the settlement is received, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that I.R.F., Inc. d/b/a Fernandez Amoco shall pay all past due regulatory assessment fees, including statutory penalties and interest and a \$100 settlement offer to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within five business days from the date this Order becomes final. The fine shall be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED by the Florida Public Service Commission that I.R.F., Inc. d/b/a Fernandez Amoco shall provide the information required by Rule 25-24.520, F.A.C. within five business days from the date this Order becomes final. 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

ORDER NO. PSC-99-0039-FOF-TC
DOCKET NO. 981171-TC
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ORDERED that in the event this Order becomes final, this Docket shall be closed upon payment of the settlement.

By ORDER of the Florida Public Service Commission, this 5th day of January, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: /s/ Kay Flynn
Kay Flynn, Chief
Bureau of Records

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-850-413-6770.

(S E A L)

CBW

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. 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 Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 26, 1999.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date.

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.

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Settlement for

Order # PSC 99-0039 FOF TC

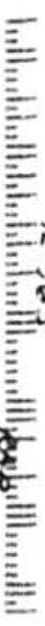
Docket # 98 1171 TC

DEPOSIT DATE
n n 62 - JAN 14 1999

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5617
\$100.00 fine

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