

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Cancellation by Florida) DOCKET NO. 961328-TC
Public Service Commission of Pay) ORDER NO. PSC-97-0023-FOF-TC
Telephone Certificate No. 2000) ISSUED: January 7, 1997
issued to Coin Telephone of)
Central Florida for violation of)
Rule 25-24.520(1)(a) and (b),)
F.A.C., Reporting Requirements.)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING CERTIFICATE
FOR FAILURE TO COMPLY WITH AGENCY RULES

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 formal proceedings pursuant to Rule 25-22.029, Florida Administrative Code.

This docket was initiated pursuant to a request filed by the Commission Staff to cancel the respective entity's certificate of public convenience and necessity, authorizing the provision of pay telephone service. The entity listed in the caption of this Order has been approved to hold a certificate issued by the Commission. However, either the certificate, the regulatory assessment fee billing, or both have been returned as undeliverable by the Post Office.

The return of these materials indicated that the entity may have violated Rule 25-24.520(1)(a), Florida Administrative Code, which requires the reporting to us of an address change within ten (10) days of its effectiveness. Accordingly, Commission Staff attempted to reach the contact person of this entity by telephone. These efforts were unsuccessful, furnishing evidence that the

DOCUMENT NUMBER-DATE
00133 JAN-75
FPSC-RECORDS/REPORTING

entity may have also violated Rule 25-24.520(1)(b), Florida Administrative Code, which requires the reporting to the Commission of a change in the name, title or telephone number of the individual responsible for Commission contacts.

Based on this evidence of violations of the Commission's Rules by this entity, Commission Staff has recommended the cancellation of this certificate, pursuant to Rule 25-24.514(1)(b), Florida Administrative Code. It is of paramount importance that PATS certificate holders remain diligent in furnishing the current information necessary to make contact with their representatives. Therefore, the Commission approves its Staff's request to cancel the certificate of public convenience and necessity to provide pay telephone service of:

<u>Name</u>	<u>Certificate No.</u>
Coin Telephone of Central Florida	2000

and the same is hereby cancelled unless the entity pays a \$250 fine and provides the Commission with the information required by Rule 25-24.520(1)(a) and (b), Florida Administrative Code, Reporting Requirements, within thirty days after this Order becomes final. The fine is to be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the General Revenue Fund pursuant to Chapter 364.285(1), Florida Statutes. The entity with a certificate in its possession is hereby directed to return it forthwith to the Commission.

The cancellation of this certificate and the closing of this docket in no way diminishes the above entity's obligations to pay applicable delinquent regulatory assessment fees.

The docket listed in this Order will be closed following expiration of the period specified in this Order unless an appropriate petition for hearing protesting a specific docket is filed by one whose substantial interests may or will be affected by this proposed agency action, as provided by Rules 25-22.029 and 25-22.036(7)(a), Florida Administrative Code.

ORDER NO. PSC-97-0023-FOF-TC
DOCKET NO. 961328-TC
PAGE 3

Based on the foregoing, it is

ORDERED that the certificate listed in this Order is cancelled unless the entity pays a \$250 fine and provides the Commission with the information required by Rule 25-24.520(1)(a) and (b), Florida Administrative Code, Reporting Requirements, within thirty days after the order becomes final. It is further

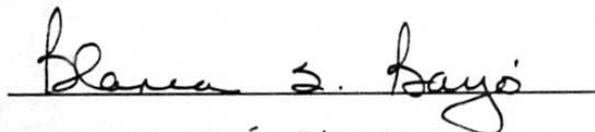
ORDERED that the fine is to be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the General Revenue Fund pursuant to Chapter 364.285(1), Florida Statutes. It is further

ORDERED that the entity with a certificate in its possession shall return it forthwith to the Commission. It is further

ORDERED by the Florida Public Service Commission that this Order shall become final unless an appropriate petition is filed during the period specified below. It is further

ORDERED that this docket shall be closed if no protest is filed in accordance with the requirements set forth below.

By ORDER of the Florida Public Service Commission, this 7th day of January, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

KMP

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 28, 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.

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.