

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation of)	DOCKET NO. 910581-TS
Shared Tenant Services Certificate)	ORDER NO. 24700
No. 1979 issued to JACK L. BAILEY, D.O.)	ISSUED: 6/24/91
)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 J. TERRY DEASON
 BETTY EASLEY
 GERALD L. GUNTER
 MICHAEL MCK. WILSON

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING CERTIFICATE NO. 1979

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 proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

On May 2, 1991, James A. Napier, Jr., D.O. requested the cancellation of Certificate of Public Convenience and Necessity Number 1979, issued to Jack L. Bailey, D.O., because the telephone system was no longer being shared. The certificate was for the provision of shared tenant services (STS) on a key system with six (6) lines or less. The certificate holder, Jack L. Bailey, sold his business to James A. Napier in March of 1990.

After review, we have determined that all applicable regulatory assessment fees have been paid and that Dr. Napier no longer shares his telephone system. Therefore, we grant his request for cancellation of Certificate of Public Convenience and Necessity No. 1979.

It is, therefore,

ORDERED by the Florida Public Service Commission that the request of James A. Napier, Jr., D.O. for the cancellation of Certificate of Public Convenience and Necessity No. 1979 is hereby approved. It is further

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ORDERED that the certificate discussed above be surrendered for cancellation within twenty (20) days of the date that this Order becomes final. It is further

ORDERED that this Order will become final on the date specified below, if there is no protest to this proposed agency action within the time frame set forth 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 24th day of JUNE, 1991.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

by: Kay DeLeon
Chief, Bureau of Records

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

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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 at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 15, 1991.

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 adversely 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 sewer 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.