

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request For) DOCKET NO. 960672-TC
Reinstatement of Pay Telephone) ORDER NO. PSC-96-0941-FOF-TC
Certificate No. 3403 Issued to) ISSUED: July 19, 1996
Yvanne Mesidor.)
_____)

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 REINSTATING PAY TELEPHONE CERTIFICATE NO. 3403

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.

On January 17, 1996, this Commission issued Order No. PSC-96-0087-FOF-TC in Docket No. 951409-TC. That Order required Yvanne Mesidor to pay all outstanding regulatory assessment fees, pursuant to Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. The Order also assessed a fine of \$250 to be paid within 30 days of the date of the order, or Certificate No. 3403, held by Yvanne Mesidor, would be cancelled.

The fine and fees in the amount of \$300 were paid by Yvanne Mesidor and deposited by the Commission on January 30, 1996. However, because the payment was not reflected in Case Management, Certificate No. 3403 was cancelled on May 10, 1996.

On May 29, 1996, the instant docket was opened to process Yvanne Mesidor's request that Certificate No. 3403 be reinstated. Because full payment was received within the 30 period required by

EXHIBIT NO.
07628-96

ORDER NO. PSC-96-0941-FOF-TC
DOCKET NO. 960672-TC
PAGE 2

Order No. PSC-96-0087-FOF-TC, we find it appropriate to reinstate Certificate No. 3403, held by Yvanne Mesidor.

It is, therefore,

ORDERED by the Florida Public Service Commission that the request of Yvanne Mesidor to reinstate Certificate of Public Convenience and Necessity No. 3403 is hereby granted. It is further

ORDERED that Yvanne Mesidor shall operate under Certificate No. 3403 and shall retain this Order as evidence of certification. 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, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 19th day of July, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay J. [Signature]
Chief, Bureau of Records

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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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 9, 1996.

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.