

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Amendments to Rule 25-4.511, F.A.C.,
Application for Certificate and repeal of Rule
25-4.512, F.A.C., Application for Approval of
Sale or Transfer of Certificate.

DOCKET NO. 20170263-TP
ORDER NO. PSC-2018-0140-FOF-TP
ISSUED: March 14, 2018

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
JULIE I. BROWN
DONALD J. POLMANN
GARY F. CLARK

NOTICE OF ADOPTION OF RULE

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted without changes the repeal of Rule 25-4.512, Florida Administrative Code (F.A.C.), and the amendment of Rule 25-4.511, F.A.C.

The rules were filed with the Department of State on March 14, 2018, and will be effective on April 3, 2018. A copy of the rules as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this Notice.

By ORDER of the Florida Public Service Commission this 14th day of March, 2018.



HONG WANG

Chief Deputy Commission Clerk
Florida Public Service Commission
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Tallahassee, Florida 32399
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

PHP

25-4.511 Application for Original or Transfer of Pay Telephone Certificate.

(1) ~~In order Any person desiring~~ to provide pay telephone ~~service services,~~ must have a pay telephone service certificate or transfer of certificate must be granted by the Florida Public Service Commission.

(2) ~~Each An~~ applicant shall ~~apply by using submit an application on~~ Form PSC 1021 (1/18) PSC/TEL 32 (2/13), entitled “Application ~~Form~~ for Original Authority or Transfer of Authority to Provide Pay Telephone Service In ~~Within~~ the State of Florida.” ~~The application which~~ is incorporated into this rule by reference and may be obtained from the Commission’s website at <http://www.floridapsc.com/telecommunication/TelecomPATSAApplication> ~~www.floridapsc.com/utilities/telecomm/~~ or from the Office of Industry Development and Market Analysis Telecommunications. Such form may also be accessed at the Department of State website at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-09234>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-02213>. A non-refundable application or transfer fee of \$250.00 must accompany the filing of each application to cover processing costs. The Commission’s acceptance of the application fee does not imply that the application or transfer of a certificate will be granted all applications.

(3) Certificates authorizing pay telephone service shall not be transferred by the holder without prior Commission approval.

~~(4)(3) An original and one copy of T~~the application shall be filed with the Office of Commission Clerk.

~~(4) Any pay telephone service authority previously granted or granted hereafter is subject to the following:~~

~~(a) Authority granted is statewide.~~

~~(5)(b) Authority is to provide both local and intrastate toll pay telephone service.~~ A certificate to provide pay telephone service does not carry with it the authority to provide local exchange ~~or interexchange~~ service. A separate application must be made for ~~such~~ authority to provide this service.

Rulemaking Authority 350.127(2) FS. Law Implemented 364.32, 364.33, 364.335, 364.3375 FS. History—New 1-5-87, Amended 9-28-89, 4-7-91, 11-20-91, 12-21-92, 2-1-99, 1-5-06, 5-29-08, 2-7-13, Formerly 25-24.511,

_____.

25-4.512 Application for Approval of Sale or Transfer of Certificate.

(1) Certificates of authority or necessity authorizing pay telephone service shall not be sold, assigned or transferred by the holder without prior Commission approval.

(2) A person seeking to obtain a certificate from a sale or transfer from the holder shall submit an application jointly with the certificate holder on Commission Form PSC/TEL 32 (2/13), entitled "Application Form for Authority to Provide Pay Telephone Service Within the State of Florida." The application form may be obtained from the Commission's website at www.floridapsc.com/utilities/telecomm/ or from the Office of Telecommunications. Such form may also be accessed at the Department of State website at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-02214>. A nonrefundable application fee of \$250.00 must accompany the filing of all applications to cover processing costs. The Commission's acceptance of the application fee does not imply that the application for sale or transfer of a certificate will be granted.

(3) An original and one copy of the application shall be filed with the Office of Commission Clerk.

(4) An application for sale or transfer of a certificate will be granted if the Commission determines that such approval is in the public interest.

(5) A certificate may be sold or transferred only as a whole.

*Rulemaking Authority 350.127(2) FS. Law Implemented 364.32, 364.33, ~~364.337~~, 364.3375, ~~364.345~~ FS. History—
New 1-5-87, Amended 5-15-89, 1-5-06, 5-29-08, 2-7-13, Formerly 25-24.512, Repealed_____.*

25-4.512 Application for Approval of Sale or Transfer of Certificate.

*Rulemaking Authority 350.127(2) FS. Law Implemented 364.32, 364.33, ~~364.337~~, 364.3375, ~~364.345~~ FS. History—
New 1-5-87, Amended 5-15-89, 1-5-06, 5-29-08, 2-7-13, Formerly 25-24.512, Repealed_____.*