

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of PROFIT CONCEPT)	DOCKET NO. 861255-TI
SYSTEMS, INC. for resale certification)	ORDER NO. 21170
_____)	ISSUED: 5-5-89

The following Commissioners participated in the disposition of this matter:

- MICHAEL McK. WILSON, Chairman
- THOMAS M. BEARD
- BETTY EASLEY
- GERALD L. GUNTER
- JOHN T. HERNDON

ORDER DECLARING UNPAID PENALTY UNCOLLECTIBLE

BY THE COMMISSION:

By Order No. 17622, issued May 27, 1987, this Commission fined Profit Concept Systems, Inc. (PCS) \$16,916.87 for failure to comply with Rule 25-24.470, Florida Administrative Code.

In June of 1987, Florida Digital Network, Inc., (FDN), holder of interexchange carrier (IXC) certificate number 898, acquired PCS due to a default by PCS on a service contract. Since that time, both PCS and FDN have ceased all business operations and FDN has filed bankruptcy. PCS was never granted an IXC certificate due to its failure to comply with the terms of Order No. 17622.

PCS cannot be located and has failed to respond to any Commission correspondence. The Commission has exercised reasonable efforts to communicate with PCS and to collect the outstanding fine. Therefore, we find it appropriate to declare the \$16,916.87 fine assessed against PCS uncollectible.

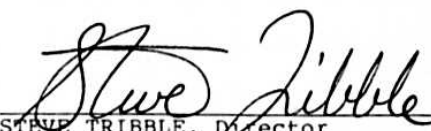
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the fine of \$16,916.87 assessed against Profit Concept Systems, Inc. is hereby determined to be uncollectible. It is further

ORDERED that this account be referred to the Department of Banking and Finance for further collection efforts or for permission to write off this fine as uncollectible. It is further

ORDERED that this docket shall remain open pending notification from the Department of Banking and Finance of its decision in this matter, after which this docket shall be closed administratively.

By ORDER of the Florida Public Service Commission, this 5th day of MAY, 1989.


 STEVE TRIBBLE, Director
 Division of Records and Reporting

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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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or 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 after the issuance 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.