

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show)
cause proceedings against)
HAZEN GLENN LANCASTER, JR.)
for violation of service)
standards and Rule 25-4.043,)
F.A.C., Response Requirement.)

DOCKET NO. 910785-TC

Initiation of show cause)
proceedings against HAZEN)
GLENN LANCASTER, JR. for)
violation of Rule)
25-4.0161(2), F.A.C.,)
Regulatory Assessment Fee)
Filing.)

DOCKET NO. 920467-TC
ORDER NO. PSC-92-1130-FOF-TC
ISSUED: 10/06/92

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

ORDER CANCELLING CERTIFICATE AND RESOLVING SHOW CAUSES

BY THE COMMISSION:

Hazen Glenn Lancaster, Jr. has been a certificated pay telephone service (PATS) provider since August 28, 1989. As a certificated PATS provider Mr. Lancaster is subject to Commission jurisdiction pursuant to Chapter 364 Florida Statutes.

On October 15, 1991, we issued Order No. 25219 requiring Mr. Lancaster to show cause why he should not be fined for violation of Rule 25-24.515(6), Florida Administrative Code, Access to all Locally Available Interexchange Carriers, and Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries.

On November 5, 1991 Mr. Lancaster responded to Order No. 25219 requesting a formal hearing.

On August 20, 1992 we issued Order No. PSC-92-0842-FOF-TC requiring Mr. Lancaster to show cause why he should not be fined \$250 for violation of Rule 25-4.0161(2), Florida Administrative Code, Regulatory Assessment Fee Filing. Order No. PSC-92-0842-FOF-TC also permitted Mr. Lancaster to voluntarily cancel his certificate in lieu of a fine.

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RECORDS DEPARTMENT

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On August 3, 1992 Mr. Lancaster proposed a settlement offer in both dockets. Mr. Lancaster requested cancellation of Certificate No. 2348 in lieu of a fine in both dockets.

We have generally been willing to allow PATS providers which are either unwilling or unable to comply with the Rules governing pay telephone service to simply cancel their certificates. This result is entirely consistent with our recent action in Docket No. 911012-TC. Accordingly, we find it appropriate to accept Mr. Lancaster's settlement proposal.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Certificate No. 2348 is hereby cancelled. It is further

ORDERED that no fine shall be imposed in either Docket No. 910785-TC or Docket No. 920467-TC. It is further

ORDERED that cancellation of Certificate No. 2348 does not extinguish liability for any unpaid regulatory assessment fees. It is further

ORDERED that both Docket No. 910785-TC and Docket No. 920467-TC shall be closed.

By ORDER of the Florida Public Service Commission this 6th day of October, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

JKA

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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.