

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Request for cancellation of PATS Certificate No. 5971 by THETA COMM, INC., effective December 31, 2005. | DOCKET NO. 060278-TC
| ORDER NO. PSC-06-0433-FOF-TC
| ISSUED: May 22, 2006

ORDER CANCELING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

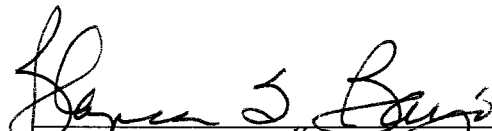
THETA COMM, INC. (THETA COMM), holder of Pay Telephone Certificate (PATS) of Public Convenience and Necessity No. 5971, has requested the cancellation of PATS Certificate No. 5971. THETA COMM has complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its PATS certificate and by submitting its Regulatory Assessment Fees (RAFs) for the year 2005. Accordingly, we find it appropriate to cancel PATS Certificate No. 5971, effective December 31, 2005. We are vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that THETA COMM, INC.'s Certificate No. 5971 to provide Pay Telephone services is hereby canceled, effective December 31, 2005. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission this 22nd day of May, 2006.



BLANCA S. BAYO, Director
Division of the Commission Clerk
and Administrative Services

(SEAL)

TLT

DOCUMENT NUMBER-DATE

04437 MAY 22 06

FPSC-COMMISSION CLERK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services 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.