

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by FLORIDA) DOCKET NO. 920191-TC
PUBLIC SERVICE COMMISSION of Pay) ORDER NO. PSC-92-0617-FOF-TC
Telephone Certificate No. 2625) ISSUED: 07/07/92
issued to CURRENT INSTALLATIONS,)
INC.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

FINAL ORDER CANCELLING CERTIFICATE

BY THE COMMISSION:

Current Installations, Inc. (Current Installations or the Company) was issued Certificate No. 2625 for the purpose of providing pay telephone service in Florida on February 27, 1991. During the period from December 1991 through February 1992, mail was returned as undeliverable because Current Installations had moved and had not provided staff with a current mailing address as well as a current phone number.

On April 7, 1992, PAA Order PSC-92-0165-FOF-TC was issued cancelling Current Installations' pay telephone certificate if no protest was received by April 28, 1992. On April 23, 1992, Current Installations filed a response to the PAA Order cancelling its certificate.

In its response filed on April 23, 1992, the Company indicated that it had simply failed to forward its current mailing address to the Commission. The Company indicated that its failure was essentially a "mix-up" on its part.

The Company's "response" is so deficient as to constitute a non-response to the Order. Moreover, the response admits the allegations set forth in the Order. Order No. PSC-92-0165-FOF-TC gives notice that one whose substantial interests are affected by the action proposed in that Order may file a petition for a formal proceeding, as provided by Rule 25-22.029, Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. The Company's response does not conform with the requirements of form and content as set forth in Rule 25-22.036(7)(a)(3), (4) and (5). Specifically, the response did not contain: a statement of all known disputed issues of material fact

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or if there are none, the petitioner must so indicate (subsection (3)); a concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief (subsection (4)); and a demand for relief (subsection (5)).

Accordingly, we conclude that Current Installations' Certificate of Public Convenience and Necessity shall be cancelled. Our cancellation of this certificate and the closing of this docket in no way diminishes the Company's obligation to pay applicable Regulatory Assessment Fees.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Current Installations, Inc.'s Certificate of Public Convenience and Necessity No. 2625 is cancelled. It is further

ORDERED that Current Installations, Inc. is to return its certificate and remit any and all outstanding Regulatory Assessment Fees due the Florida Public Service Commission. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 7th day of July, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

by: Kay Hizon
Chief, Bureau of Records

JRW

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.