

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for cancellation) DOCKET NO. 950229-TC
of Pay Telephone Certificates) ORDER NO. PSC-95-0453-FOF-TC
Nos. 3257 by JAMES D. CHAMPION) ISSUED: April 6, 1995
and 3013 by BRUCE SELLERS; and)
application for certificate to)
provide pay telephone service by)
JAMES D. CHAMPION AND BRUCE)
SELLERS d/b/a SIRRON)
COMMUNICATIONS.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING PAY TELEPHONE CERTIFICATE
AND CANCELLING PAY TELEPHONE CERTIFICATES NOS. 3257 AND 3013

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

I. Background

On February 27, 1995, the partnership known as Sirron Communications requested that two Pay Telephone Certificates which were then held individually by each partner, i.e., Pay Telephone Certificate 3257 held by partner James D. Champion and Pay Telephone Certificate 3013 held by partner Bruce Sellers, be cancelled. Further, Sirron Communications requested a Pay Telephone Certificate be issued to the partnership, James D. Champion and Bruce Sellers d/b/a Sirron Communications.

DOCUMENT NUMBER-DATE

03549 APR-6 95

FPSC-RECORDS/REPORTING

II. Approval of Grant of Certificate

Upon review, we find that Sirron Communications' application contains the information required for certification as set forth in Sections 364.3375 and 364.335, Florida Statutes, and Rule 25-24.511, Florida Administrative Code. Accordingly, we hereby grant Certificate No. 4152 to provide pay telephone service to Sirron Communications consistent with the conditions and requirements set forth in Rules 25-24.505 through 25-24.520, Florida Administrative Code. Sirron Communications will operate under Certificate No. 4152. This Order, if it becomes final and effective, will serve as Sirron Communications' Certificate. Sirron Communications shall retain this Order as evidence of certification by this Commission.

III. Cancellation of Certificate Nos. 3257 and 3013

We cancel Pay Telephone Certificate Numbers 3257 and 3013 effective upon the issuance of a Certificate No. 4152 to Sirron Communications. If they have not already done so, James D. Champion and Bruce Sellers are directed to return the certificates to the Commission. Cancellation of these certificates in no way diminishes the Champion or Sellers's obligation to pay due and owing regulatory assessment fees.

Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that Certificate No. 4152 to provide pay telephone service be issued to James D. Champion and Bruce Sellers d/b/a Sirron Communications subject to the conditions stated in the body of this Order. It is further

ORDERED that Certificate Numbers 3257 and 3013 are cancelled simultaneously with the issuance of Certificate No. 4152 to James D. Champion and Bruce Sellers d/b/a Sirron Communications. It is further

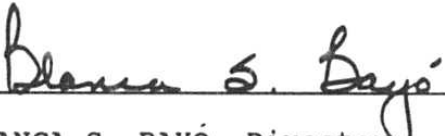
ORDERED that James D. Champion and Bruce Sellers shall return Certificate Numbers 3257 and 3013 and remit any and all outstanding Regulatory Assessment Fees due the Florida Public Service Commission, if they have not already done so. It is further

ORDERED that, unless a person whose substantial interests are affected by the actions proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, the certificate issued Sirron Communications shall become effective and Certificates 3257 and

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3013 shall be cancelled and Certificate No. 4152 be issued on the following date and this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 6th day of April, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

SCL

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on April 27, 1995.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the effective date 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.