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CATLIN, SAXON, TUTTLE AND EVANS, P.A.

1700 ALFRED I. DUPONT BUILDING
169 EAST FLAGLER STREET
MIAMI, FLORIDA 33131

FAX (305) 371-8011
(305) 371-9575

April 8, 1996

Blanca S. Bayo
Director, Division of Records and Recording
2540 Schumart Oak Blvd.
Tallahassee, Florida 32399-0850

VIA FEDERAL EXPRESS

RE: Docket Number 960124-TC

Dear Ms. Bayo:

We are forwarding to you herewith:

1. The original and seven copies of Wlberth Gaviria's Answer and Response to Order to Show Cause;
2. The original and seven copies of Wlberth Gaviria's Petition to Initiate Formal Proceeding.

Furthermore, this letter will serve as undersigned counsel's requests that all further correspondence, pleadings, documents and other matters in connection with the above referenced docket number be forwarded to:

Wlberth Gaviria
C/O Catlin, Saxon, Tuttle and Evans, P.A.
Attention: Brian L. Fink
169 E. Flagler Street, Suite 1700
Miami, Florida 33131-1298

- ACK
- AFA _____
- APP _____
- CAF _____
- CML _____
- CTR _____
- EAG _____
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- LIN 5 _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS _____
- OTH _____

Thank you in advance for your courtesy.

Sincerely,

Brian L. Fink
Brian L. Fink

cc: Wlbert Gaviria

Answer & Resp.
DOCUMENT NUMBER-DATE
04105 APR-96
FPSC-RECORDS/REPORTING

Petition
DOCUMENT NUMBER-DATE
04106 APR-96
FPSC-RECORDS/REPORTING

372

ORIGINAL
FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of Show Cause)
Proceedings Against Wlberth)
Gaviria for Violation of Service)
Standards Rules 25-24.515 and)
25-24.512, F.A.C.

Docket No.: 960124 TC

PETITION TO INITIATE FORMAL PROCEEDING

Petitioner, WLBERTH GAVIRIA ("GAVIRIA"), pursuant to the Florida Public Service Commission's ("PSC") Order No. PSC-96-0388-FOF-TC entered March 20, 1996, and the applicable rules of the Florida Administrative Code files this Petition To Initiate Formal Proceedings, and states as follows:

1. On March 20, 1996 the PSC entered Order No. PSC-96-0388-FOF-TC directing GAVIRIA To Show Cause why he should not be fined and/or why the PSC should not cancel his certificate No. 3320.

2. GAVIRIA's substantial interest will be adversely affected by any commission determination pursuant to the order to show cause that GAVIRIA should be fined or that his certificate should be canceled.

3. In support of this petition, GAVIRIA has filed an Answer and Response To Order To Show Cause which is incorporated herein by reference. Said Response contains a statement of the disputed issues of material fact.

4. At all times material GAVIRIA, was and is in compliance with all provisions of the Florida Administrative Code. Specifically, GAVIRIA was and is in compliance with Service Standard Rules 25-24.515 and 25-24/512. F.A.C.

5. Petitioner's name and address is:

Wlberth Gaviria
C/O Catlin, Saxon, Tuttle and Evans, P.A.
Attention: Brian L. Fink
169 E. Flagler Street, Suite 1700
Miami, Florida 33131-1298

WHEREFORE, Petitioner, WLBERTH GAVIRIA, moves the Florida Public Service Commission for an order directing the initiation of formal proceedings or in the alternative dismissing this cause or in the alternative an order finding that Petitioner, WLBERTH GAVIRIA, has shown cause why he should not be fined and has shown

DOCUMENT NUMBER-DATE

04106 APR-98

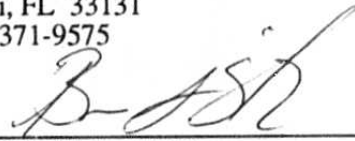
FPSC-RECORDS/REPORTING

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OTH _____

cause why his Certificate No.3320 should not be canceled, and for such other relief as is proper.

CATLIN, SAXON, TUTTLE & EVANS, P.A.
Attorneys for Petitioner
1700 Alfred I. duPont Bldg.
169 E. Flagler Street
Miami, FL 33131
(305) 371-9575

By:



BRIAN L. FINK
Fla. Bar No.: 767859