

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for Pay)
Telephone Certificates.)
)
Kellen LaRae Giancatarino) DOCKET NO. 970026-TC
Carlos Investments Inc. of Dade)
County) DOCKET NO. 970031-TC
Swan Food Inc.) DOCKET NO. 970032-TC
Yaron Roni Levy) DOCKET NO. 970050-TC
Eagle Liquidators of Miami Inc.) DOCKET NO. 970053-TC
Pocket Pay Phone Inc.) DOCKET NO. 970064-TC
Gary Jerry Roldan d/b/a Superior) DOCKET NO. 970080-TC
Payphones)
)
) ORDER NO. PSC-97-0159-FOF-TC
) ISSUED: February 13, 1997

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
SUSAN F. CLARK
J. TERRY DEASON
JOE GARCIA
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATES TO
PROVIDE PAY TELEPHONE SERVICE

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.

The entities listed below have applied for certificates to provide pay telephone service pursuant to Section 364.3375, Florida Statutes.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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Upon consideration of their applications, it appears to be in the public interest to grant the following pay telephone certificates to the entities listed below.

<u>NAME</u>	<u>CERTIFICATE NUMBER</u>
Kellen LaRae Giancatarino	5087
Carlos Investments Inc. of Dade County	5088
Swan Food Inc.	5089
Yaron Roni Levy	5091
Eagle Liquidators of Miami Inc.	5092
Pocket Pay Phone Inc.	5093
Gary Jerry Roldan d/b/a/ Superior Payphones	5094

If this Order becomes final and effective, it shall serve as each entity's certificate. It should, therefore, be retained by these entities as proof of their certification.

Non-local exchange company pay telephone service providers are subject to Chapter 25-24, Florida Administrative Code, Part XI, Rules Governing Pay Telephone Service Provided by Other Than Local Exchange Telephone Companies. They are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

Based on the foregoing, it is,

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide pay telephone service, subject to the terms and conditions specified in the body of this Order. It is further

ORDERED that this Order shall serve as these entities' certificates and they should retain this Order as proof of their certification. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

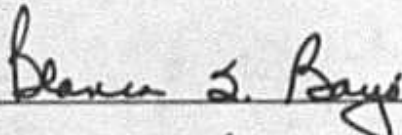
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ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, these Dockets shall be closed.

By ORDER of the Florida Public Service Commission, this 13th day of February, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

KMP

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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.

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 6, 1997.

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.

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.