

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida	§	Docket No. 971104-TI
Public Service Commission of	§	Order No. PSC-97-1252-POP-TI
Interexchange Telecommunications	§	Issued: October 14, 1997
Certificate No. 3187 issued to	§	
Kirby Communications International, Inc.	§	
for violation of Rule 25-4.0161, F.A.C.,	§	
Regulatory Assessment Fees	§	

PETITION FOR FORMAL PROCEEDING

TO: FLORIDA PUBLIC SERVICE COMMISSION

COMES NOW, Kirby Communications International, Inc. ("KCI"), Respondent, and files this its Petition for Formal Proceeding on the above-captioned matter, and would respectfully request that the Florida Public Service Commission ("Commission") please grant a formal proceeding in this cause, and requests that the Commission re-consider the prior preliminary recommendation to cancel the Certificate of Public Necessity issued to KCI, and that it waive any fines against KCI, and KCI would show as follows:

1. KCI never received the Regulatory Assessment Fee Return Forms for the years 1996 or 1997.
2. KCI has not conducted any business in Florida during the years in question, and therefore would only be liable for the minimum fee of \$50.00 per year.
3. KCI is undergoing a corporate reorganization and any fines imposed against KCI would be burdensome and extremely prejudicial, and disproportionate, in light of the minimum fee assessed each year.

Respectfully submitted,
Kirby Communications International, Inc.

Millie Slocumb

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