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DEPOSIT

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4129 issued to Ognab Enterprises, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees.

DOCKET NO. 971280-TC  
ORDER NO. PSC-97-1455-FOF-TC  
ISSUED: November 18, 1997

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER IMPOSING FINE AND REQUIRING PAYMENT OF  
REGULATORY ASSESSMENT FEES OR CANCELING  
PAY TELEPHONE CERTIFICATE AND DIRECTING CERTIFICATED LOCAL  
EXCHANGE COMPANIES TO DISCONTINUE 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.



FRANCISCO BANGO

2666

12/3/97

FLA Public Service Comm. \$ 568.00  
Five Hundred sixty eight and 00/100 DOLLARS

olds Certificate 9, issued by the provision of pay latory assessment es, and Rule 25-4 year 1996. The nhab in December, eember 31, 1996.

Northern Trust Bank of Florida N.A.

No PSC-97-1455-FOF-TC [Signature]

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Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. Ognab was notified of its delinquency on June 3, 1997. Ognab has been given adequate opportunity to pay. The Commission's correspondence regarding the regulatory assessment fees was returned, marked "unclaimed." To date, Ognab has not paid the required fees.

For the reason described above, pursuant to Rule 25-24.514(1)(b) and (c), Florida Administrative Code, we find it appropriate to cancel Ognab's certificate, unless Ognab pays a \$500 fine for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, and remits all past due regulatory assessment fees, along with statutory penalties and interest charges, to the Florida Public Service Commission. Ognab must comply with these requirements within five business days from the date this Order becomes final. The fine will be remitted to the Comptroller for deposit in the State of Florida General Revenue Fund, pursuant to Section 364.516, Florida Statutes.

When the appropriate fees, statutory penalties, interest charges, and fine are received, this docket shall be closed. Should Ognab fail to comply with this Order within five business days from the date this Order becomes final, Ognab shall have its certificate canceled and the docket will be closed. The cancellation of the certificate and the closing of the docket in no way diminishes Ognab's obligation to pay applicable delinquent regulatory assessment fees, statutory penalties, and interest charges.

Should Ognab's certificate be canceled, all certificated local exchange companies are instructed to discontinue service to Ognab, pursuant to Rule 25-24.510, Florida Administrative Code, Certificate of Public Convenience and Necessity Required. Any certificated local exchange company providing service to Ognab must contact the Commission at the conclusion of the response period indicated herein in order to determine if Ognab's certificate has been canceled.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Ognab Enterprises, Inc. must pay the past due regulatory assessment fees, statutory penalties, interest charges, and a \$500 fine to the

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Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within five business days from the date this Order becomes final. The fine will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that should Ognab Enterprises, Inc. fail to comply with this Order, Ognab Enterprises, Inc.'s certificate shall be canceled, and the docket shall be closed. It is further

ORDERED that the cancellation of the certificate and the closing of the docket in no way diminishes Ognab Enterprises, Inc.'s obligation to pay applicable delinquent regulatory assessment fees, statutory penalties, and interest charges. It is further

ORDERED that all certificated local exchange companies shall discontinue service to Ognab Enterprises, Inc. upon verification of the cancellation of the certificate at the conclusion of the response period set forth 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, this Docket shall be closed upon payment of the fines, and fees, or upon cancellation of the certificate.