



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

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**DATE:** April 10, 2001

**TO:** Blanco Bayo, Director, Division of Records and Reporting

**FROM:** Toni J. McCoy, Regulatory Analyst, Division of Regulatory Oversight

**SUBJECT:** Open Docket No. 010285-TC; SM 106 Ltd.

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Please add this correspondence to the docket file.

Call me if you have any questions, I can be reached at 850/413-6532.

Thank you.

- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- LEG \_\_\_\_\_
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- PAI \_\_\_\_\_
- RGO \_\_\_\_\_
- SEC   H
- SER \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

04471 APR 11 2001

FPSC-RECORDS/REPORTING

J. T. McCoy - RGO  
RJR

**SM 106 Limited**  
**4300 North University Drive**  
**Suite D-103**  
**Lauderhill, Fl 33351**  
**(954) 746-2221 Office (954) 746-1861 Fax**

CK3337  
#50.00-R  
4/3/01  
MC

April 2<sup>nd</sup>, 2001

Public Service Commission  
Attn: Records and Reporting  
Capital Circle Office Center  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

DEPOSIT                      DATE  
D O S S                      APR 06 2001

01:00 - 5:00 PM  
400 N. UNIVERSITY DRIVE  
TALLAHASSEE, FL 32301

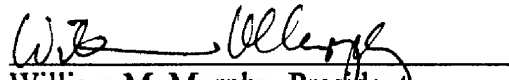
Re: SM 106 Limited  
Cancellation of Certificate No. 5880

TG345

Dear Sir,

Enclosed please find the Order Canceling my above referenced certificate. In lieu of the original Order granting authority to provide pay telephone services I am writing this letter to inform you that this order has been misplaced. I am aware that I am canceling certificate number 5880 and will no longer be able to use this number. I spoke to Felicia Banks regarding this issue and she suggested I ask that you accept this letter in place of the original order. If you have any questions, please advise at the above numbers.

Sincerely,

  
William M. Murphy, President  
SM 106 Limited, a Florida Limited Partnership  
By: SM Corporation, G.P.

**RECEIVED**

APR 06 2001  
Florida Public Service Commission  
Division of Regulatory Oversight

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation  
of Pay Telephone Certificate No.  
5880 by SM 106 Ltd., effective  
3/12/01.

DOCKET NO. 010285-TC  
ORDER NO. PSC-01-0819-FOF-TC  
ISSUED: March 29, 2001

ORDER CANCELING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

SM 106 Ltd. (SM), holder of Pay Telephone Certificate (PATS) of Public Convenience and Necessity No. 5880, has requested the cancellation of PATS Certificate No. 5880. SM has complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its PATS certificate and by submitting its Regulatory Assessment Fees (RAFs) for the year 2000. Accordingly, we find it appropriate to cancel PATS Certificate No. 5880, effective March 12, 2001. SM shall return to this Commission the Order granting authority to provide PATS services. The Commission is vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAFs of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for the year 2001 will be mailed to SM. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the year 2001 shall relieve SM from its obligation to pay RAFs for the year 2001.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that SM 106 Ltd.'s Certificate No. 5880 to provide Pay Telephone services is hereby canceled, effective March 12, 2001. It is further

ORDERED that SM 106 Ltd. shall return to this Commission the Order granting authority to provide Pay Telephone services and remit Regulatory Assessment Fees for the year 2001. It is further ORDERED that this Docket is closed.

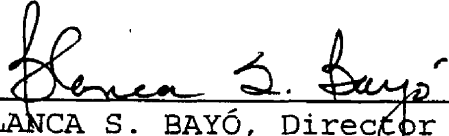
DOCUMENT NUMBER-DATE

03908 MAR 29 5

FPC-RECORDS REPORTING

ORDER NO. PSC-01-0819-FOF-TC  
DOCKET NO. 010285-TC  
PAGE 2

By ORDER of the Florida Public Service Commission, this 29th  
day of March, 2001.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

FRB

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/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 after the issuance 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.