

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of James L. Boyd, Inc. for Authority to Provide Shared Tenant Services to 739 E. Atlantic Boulevard, Pompano Beach.)	DOCKET NO. 881303-TS
)	ORDER NO. 20701
)	ISSUED: 2-3-89
)	

The following Commissioners participated in the disposition of this matter:

- MICHAEL McK. WILSON, Chairman
- THOMAS M. BEARD
- BETTY EASLEY
- GERALD L. GUNTER
- JOHN T. HERNDON

NOTICE OF PROPOSED AGENCY ACTION
ORDER DENYING CERTIFICATE

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 formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

On October 5, 1988, Mr. James Boyd of James L. Boyd Design Inc. filed an application for certification to provide shared tenant services (STS) on a key system with six or fewer lines to a structure located at 739 E. Atlantic Boulevard, Pompano Beach. Subsequently on November 15, 1988, Mr. Boyd indicated by conversation with our staff that he no longer intended to share local telephone service in the building in question. He was given instructions to file written confirmation of this intent with this Commission. Although Mr. Boyd's confirmation has not been received, after some delay, we find that the applicant does not wish to pursue this matter and the docket should be closed.

Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the application of James L. Boyd, Inc. for authority to provide Shared Tenant Services to 739 E. Atlantic Boulevard, Pompano Beach, is hereby denied. It is further

ORDERED that this order will become final on February 27, 1989, if there is no protest to this proposed agency action within the time frame set forth below.

By ORDER of the Florida Public Service Commission, this 3rd day of FEBRUARY, 1989.


 STEVE TRIBBLE, Director
 Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes (1985), as amended by Chapter 87-345, Section 6, Laws of Florida (1987), 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 at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on February 24, 1989. In the absence of such a petition, this order shall become effective February 27, 1989 as provided by Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent order.

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 February 27, 1989, any party adversely 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 sewer 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.