

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

|                                      |   |                      |
|--------------------------------------|---|----------------------|
| In re: Initiation of show cause      | ) | DOCKET NO. 890090-TC |
| proceedings against JAMES N. JOHNSON | ) |                      |
| for failure to comply with 1987      | ) | ORDER NO. 21105      |
| annual report requirements           | ) |                      |
| <hr/>                                |   | ISSUED: 4-24-89      |

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

ORDER RESOLVING SHOW CAUSE PROCEEDINGS

BY THE COMMISSION:

On March 1, 1989, Show Cause Order No. 20832 was issued against James N. Johnson for violation of Rule 25-24.520, Florida Administrative Code, which requires pay telephone service (PATS) providers to file annual reports with the Commission. Mr. Johnson responded to the show cause order by letter, dated March 20, 1989, and indicated that he did file his 1987 Annual Report.

Staff's subsequent investigation of the matter confirmed that Mr. Johnson had submitted his 1987 Annual Report, along with his 1987 Regulatory Assessment Fee.

Based upon the specific facts of this case, we find James N. Johnson should be allowed to retain his PATS certificate number 212 and is not required to pay the fine imposed by Order No. 20832.

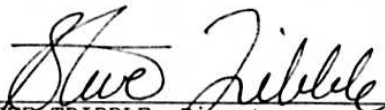
Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that based upon the specific facts of this case, the request of James N. Johnson to retain his PATS certificate is granted. It is further

ORDERED that James N. Johnson is not subject to the fine imposed by Order No. 20832. It is further

ORDERED that this docket shall be closed upon issuance of this order.

By ORDER of the Florida Public Service Commission, this 24th day of APRIL, 1989.

  
 STEVE TRIBBLE, Director  
 Division of Records and Reporting

( S E A L )

ABG

DOCUMENT NUMBER-DATE

04096 APR 24 1989

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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, 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 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 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 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.