

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause)	
proceedings against)	
KENNETH P. ATKINSON)	DOCKET NO. 890108-TC
LARRY WEINER)	DOCKET NO. 890120-TC
for failure to comply with 1987)	ORDER NO. 21120
annual report requirements)	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 CANCELLING CERTIFICATES AND CLOSING DOCKETS

BY THE COMMISSION:

Pursuant to Orders No. 20830 and 20831, both issued March 1, 1989, the above-referenced companies were included in a group of PATS providers which were ordered to show cause in writing why they should not be fined \$100 for failing to file their 1987 annual report as required by Rule 25-24.520, F.A.C. According to the order, any company which failed to respond to the show cause order within 20 days would automatically have its certificate revoked. The order also set forth that a company could avoid the fine or revocation of its certificate by voluntarily requesting the cancellation of its certificate within 20 days.

By separate letters, Kenneth P. Atkinson and Larry Weiner have requested cancellation of these respective certificates of public convenience and necessity. Neither company plans to offer pay telephone service.

We, therefore, approve the following requests to cancel the certificates of public convenience and necessity to provide pay telephone service of:

<u>Name</u>	<u>Certificate No.</u>
Kenneth P. Atkinson	98
Larry Weiner	1212

Our cancellation of the certificates and the closing of these dockets in no way diminishes the above companies' obligation to pay applicable delinquent regulatory assessment fees.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the above certificates of public convenience and necessity are cancelled effective upon the issuance of this Order. It is further

DOCUMENT NUMBER-DATE

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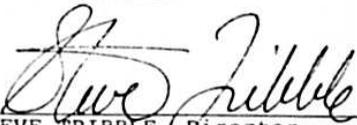
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ORDERED that each company shall return its certificate and remit any and all outstanding regulatory assessment fees due the Florida Public Service Commission. It is further

ORDERED that these dockets be and the same are hereby closed.

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)

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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.