

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation to Show Cause Pro-)	DOCKET NO. 890797-TC
ceedings against AVTEL, INC. for failure)	
to comply with 1988 annual report)	ORDER NO. 22615
requirements.)	
<hr/>		ISSUED: 2-27-90

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

BY THE COMMISSION:

In Order No. 22045, issued October 11, 1989, this Commission ordered Avtel, Inc., (Avtel) to show cause why it should not be fined \$600 and have its certificate cancelled for violation of Commission Rules. Avtel has not answered the Order to Show Cause. All correspondence has been returned as undeliverable. Avtel's certificate to operate as a corporation in Florida has been cancelled and its corporate charter has also been revoked by the State of Delaware.

These facts indicate that the corporation no longer exists and that no one is managing the closing of its affairs. Therefore, it appears that any further effort to collect the fine would be futile. Therefore, we feel that, in the interest of economy, we should waive the fine and cancel the company's certificate.

Based on the foregoing, it is hereby

ORDERED that the Certificate of Avtel, Inc., is hereby canceled and the \$600 fine proposed in Order No. 22045 is hereby waived. It is further

ORDERED that this docket be and the same is hereby closed.

DOCUMENT NUMBER-DATE

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By Order of the Florida Public Service Commission this
27th day of FEBRUARY, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

JSR

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.