

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation of Shared) DOCKET NO. 900873-TS
 Tenant Services Certificate No. 2020 by) ORDER NO. 23930
 JAMES W. SPEARS P.A.) ISSUED: 12-24-90
 _____)

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 FRANK S. MESSERSMITH

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING CERTIFICATE NO. 2020

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 25, 1990, James W. Spears, P.A. (Spears) requested the cancellation of its Certificate of Public Convenience and Necessity No. 2020.

The certificate was for the provision of shared tenant services (STS) on key systems with six (6) lines or less. Spears certifies that it is no longer sharing its telephone system with anyone outside of the business entity making the request. After review of this request, we have determined that Spears has paid its 1989 regulatory assessment fees, and no longer shares its telephone system. Spears remains responsible for any applicable 1990 fees. Therefore, we grant the respective application for the cancellation of Certificate of Public Convenience and Necessity No. 2020.

This docket will be closed following expiration of the period specified in this Order unless an appropriate petition for hearing is filed by one whose substantial interests may or will be affected by this proposed agency action, as provided by Florida Administrative Code Rules 25-22.029 and 25-22.036(7)(a).

It is, therefore,

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ORDERED by the Florida Public Service Commission that the request of James W. Spears, P.A., 511 North Ferncreek Avenue, Orlando, Florida 32803, for the cancellation of Certificate of Public Convenience and Necessity No. 2020, is hereby approved. It is further

ORDERED that this Order will become final on the date specified below, if there is no protest to that proposed agency action within the time frame set forth below. It is further

ORDERED that the above-noted certificate be surrendered for cancellation within twenty (20) days of the date this order becomes final. It is further

ORDERED that this docket shall be closed if no protest is filed in accordance with the requirements set forth below.

By ORDER of the Florida Public Service Commission, this 24th day of DECEMBER, 1990.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

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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.

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 January 15, 1991.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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 the date described above, 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

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must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.