

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation of pay)	DOCKET NO. 910294-TC
telephone certificate by MILCO)	
DISTRIBUTORS, INC. and application to)	ORDER NO. 24449
provide pay telephone service for MUTUAL)	
SUPERMARKET OPERATING COMPANY, INC.)	ISSUED: 4/30/91
)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 J. TERRY DEASON
 BETTY EASLEY
 GERALD L. GUNTER
 MICHAEL MCK. WILSON

NOTICE OF PROPOSED AGENCY ACTIONORDER CANCELING AND GRANTING CERTIFICATES
TO PROVIDE PAY TELEPHONE SERVICE

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Milco Distributors, Inc. (Milco) has petitioned for cancellation of its Pay Telephone Service (PATS) Certificate No. 2096 simultaneously with a PATS application by Mutual Supermarket Operating Company, Inc. (Mutual). These actions are consistent with our policy prohibiting the transfer of certificates.

Our examination of the application made by Mutual indicates that Mutual has complied with our requirements for PATS providers. Therefore, we find it to be in the public interest to approve both the petition for cancellation and the certificate application.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Certificate of Public Convenience and Necessity No. 2096 held by Milco Distributors, Inc. be canceled. It is further

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ORDERED that a Certificate of Public Necessity and Convenience to provide pay telephone service be granted to Mutual Supermarket Operating Company, Inc. It is further

ORDERED that the Certificate, if granted, shall become effective at the end of the protest period if no objections are filed. It is further

ORDERED that if no objections are filed during the protest period pursuant to the requirements set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 30th day of APRIL, 1991.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

JKA

by: Kay Helton
Chief, Bureau of Records

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-

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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 May 21, 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 must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.