

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation of pay)
 telephone certificate in response to)
 show cause order for failure to file)
 1990 annual reports.)
)
 AUNT LUCILLE'S) DOCKET NO. 91C185-TC
)
) ORDER NO. 25382
) ISSUED: 11/25/91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 SUSAN F. CLARK
 J. TERRY DEASON
 BETTY EASLEY
 MICHAEL MCK. WILSON

ORDER CANCELING CERTIFICATE
IN RESPONSE TO SHOW CAUSE ORDER

BY THE COMMISSION:

Aunt Lucille's (Aunt Lucille's or the Utility) has been a certificated pay telephone service (PATS) provider since March 2, 1989. As a certificated PATS provider, Aunt Lucille's is subject to our jurisdiction.

On May 2, 1991, Aunt Lucille's was ordered to show cause why it should not be fined \$250 for failing to file its Annual Report as required by Rule 25-24.520, Florida Administrative Code. As part of the Show Cause Order, Aunt Lucille's was offered the opportunity to avoid the fine by voluntarily canceling its Certificate of Public Convenience and Necessity and ceasing to provide PATS service. On May 10, 1991, Aunt Lucille's responded to Show Cause Order No. 24469. In Final Order No. 25193, we rejected Aunt Lucille's response and required the Utility to pay the fine, voluntarily cancel its certificate, or face involuntary cancellation. Aunt Lucille's has elected to voluntarily cancel its certificate.

We note that while we intend to permit Aunt Lucille's to cancel its certificate and cease operation as a PATS provider, we are not relieving the Utility of its responsibility for the applicable 1991 Regulatory Assessment Fees.

Based on the foregoing, it is

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ORDERED by the Florida Public Service Commission that Aunt Lucille's shall be permitted to voluntarily cancel its Certificate of Public Convenience and Necessity No. 2243. It is further

ORDERED that Aunt Lucille's shall surrender its certificate and cease to provide pay telephone service. It is further

ORDERED that this Order shall not be interpreted as relieving Aunt Lucille's from liability for 1991 Regulatory Assessment Fees. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission, this 25th day of NOVEMBER, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

JKA

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

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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.