

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of Show Cause) DOCKET NO. 920431-TC
Proceedings against Charles Kaye) ORDER NO. PSC-93-0299-FOF-TC
for violation of Rule 25-) ISSUED: 02/25/93
4.0161(2), F.A.C., Regulatory)
Assessment Fee Filing.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
THOMAS M. BEARD
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

FINAL ORDER REINSTATING PATS CERTIFICATE AND CLOSING DOCKET

Charles Kaye became a certificated pay telephone service (PATS) provider on December 5, 1990. As a certificated utility, Mr. Kaye is subject to our jurisdiction.

On September 24, 1992, we issued Order No. PSC-92-1064-FOF-TC requiring Mr. Kaye to show cause, in writing why he should not be fined \$100 for failure to file his regulatory assessment fee return/annual report in a timely manner as required by Rule 25-4.0161(2), Florida Administrative Code. Order No. PSC-92-1064-FOF-TC also provided that if Mr. Kaye failed to respond by October 14, 1992 his certificate would be cancelled. On October 23, 1992, Mr. Kaye's certificate was cancelled and this docket was closed. On October 28, 1992 Mr. Kaye paid the fine.

On January 19, 1993 Mr. Kaye discovered that his certificate had been cancelled. Mr. Kaye contacted staff and this docket was reopened.

Mr Kaye's response indicates an intent to comply with the terms and conditions of Order No. PSC-92-1064-FOF-TC. Mr. Kaye has substantially complied with the penalties proposed and his certificate should be reinstated.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Certificate of Public Convenience and Necessity No. 2602 controlled by Charles Kaye is hereby reinstated. It is further

ORDERED that this docket be closed.

DOCUMENT NUMBER-DATE

02160 FEB 25 93

FPSC-RECORDS/REPORTING

ORDER NO. PSC-93-0299-FOF-TC
DOCKET NO. 920431-TC
PAGE 2

By ORDER of the Florida Public Service Commission this 25th
day of February, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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