

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed limitation by) DOCKET NO. 920192-TC
Florida Public Service) ORDER NO. PSC-93-0300-FOF-TC
Commission on solicitation by) ISSUED: 02/25/93
Adtel Communications, Inc. after)
the caller makes a long distance)
carrier selection.)
_____)

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

ORDER GRANTING MOTION TO WITHDRAW AND CLOSE DOCKET

Adtel Communications, Inc. (Adtel) has been a certificated pay telephone service (PATS) provider since May 30, 1990. As a certificated utility, Adtel is subject to our jurisdiction pursuant to Chapter 364, Florida Statutes.

On May 27, 1992, we issued Order No. PSC-92-0412-FOF-TC requiring Adtel to discontinue use of an intercept message between the last digit dialed by the end user and connection with the interexchange carrier of the end user's choice. The message in question advised end users to dial direct to take advantage of alleged savings over AT&T rates.

On June 17, 1992 Adtel filed a Petition for Formal Proceeding On Notice of Proposed Agency Action requesting the matter be set for hearing. Adtel argued that the proposed limitation limited the end user's opportunity to be advised of lower rates, exceeded our authority and violated Adtel's right to disseminate truthful advertising. The matter was set for hearing on May 9, 1993.

On January 12, 1993, Adtel filed a Motion to Withdraw Petition for Formal Proceeding on Notice of PAA Order PSC-92-0412-FOF-TC. In its motion, Adtel asserted that it would no longer use the intercept message.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Adtel Communications, Inc.'s Motion to Withdraw Petition for Formal

DOCUMENT NUMBER-DATE

02161 FEB 25 93

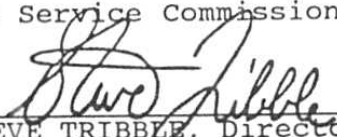
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Proceeding on Notice of PAA Order PSC-92-0412-FOF-TC is hereby granted. It is further

ORDERED that this docket be closed.

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)

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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.

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.