

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to initiate) DOCKET NO. 940142-TP
rulemaking to amend Rule 25-) ORDER NO. PSC-94-0353-FOF-TP
4.076, F.A.C., Pay Telephone) ISSUED: March 28, 1994
Service Provided by Local)
Exchange Companies and Rule 25-)
24.515, F.A.C., Pay Telephone)
Service by DIGNITY FOR THE)
DISABLED, INC., a non-profit)
corporation and DENNY R. WOOD,)
MSW, Individually.)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

ORDER GRANTING PETITION TO INITIATE RULEMAKING

BY THE COMMISSION:

On February 7, 1994, Dignity for the Disabled, Inc. and Denny R. Wood (Petitioner) filed a Petition to Initiate Rulemaking to amend Rules 25-4.076 and 25-24.515, Florida Administrative Code. The petitioner seeks amendment of both rules to add provisions to increase the number of pay telephones accessible by the disabled.

The Commission voted to grant the Petition to Initiate Rulemaking at the March 8, 1994 agenda conference. By granting this petition, the Commission has decided to initiate rulemaking to consider whether Rules 25-4.076 and 25-24.515, Florida Administrative Code, should be amended. This Commission's decision to initiate rulemaking does not adopt the amendments proposed by the Petitioner. Staff will return with another recommendation regarding this issue after it has fully considered the arguments of Petitioner and other interested parties. At that time, Staff will recommend that the Commission either propose to amend these rules or recommend that the Commission vote not to amend these rules.

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Based on the foregoing, it is

ORDERED that the Petition to Initiate Rulemaking filed by Dignity for the Disabled, Inc. and Denny R. Wood to amend Rules 25-4.076 and 25-24.515, Florida Administrative Code, is granted as set forth in the body of this Order. It is further

ORDERED that Docket No. 940142-TP shall remain open as a rulemaking docket.

By ORDER of the Florida Public Service Commission, this 28th day of March, 1994.



STEVE TRIBBLE, Acting Director
Division of Records and Reporting

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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 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 wastewater 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.

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