

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Cancellation by Florida) DOCKET NO. 950053-TI
Public Service Commission of) ORDER NO. PSC-95-0381-FOF-TI
Interexchange Telecommunications) ISSUED: March 20, 1995
Certificate No. 2976 issued to)
American WATS, Inc. for)
violation of Rule 25-24.480,)
F.A.C., Records and Reports;)
Rules Incorporated.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER IMPOSING FINE OR CANCELLING CERTIFICATE

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

Rule 25-24.480(3)(a), Florida Administrative Code, requires each certificated Interexchange Carrier (IXC) to file any changes in the certificate holder's address or telephone number, with the Commission, within ten (10) days of the change. Also, Rule 25-24.480(3)(b), Florida Administrative Code, requires any changes relating to the individual who is serving as primary liaison with the Commission to be reported within ten (10) days of the change.

We received notice from our Division of Records and Reporting that mail sent to American WATS, Inc. on October 31, November 23 and December 9, 1994, was returned. On two of the returned envelopes was written the statement, "Out of business or No longer in Business."

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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Rule 25-25.474, Florida Administrative Code, authorizes the Commission to cancel a certificate, on its own motion, for violation of Commission rules and orders. Since it appears American WATS, Inc. has not complied with Rules 25-24.480(a) and (b), Florida Administrative Code, and the Company cannot be located by mail or phone, certificate number 2976 will be cancelled unless the Company pays a \$250.00 fine and furnishes the required information.

Based on the foregoing, it is

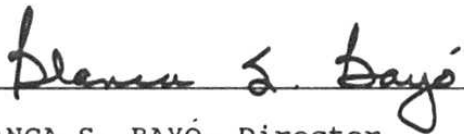
ORDERED by the Florida Public Service Commission that American WATS, Inc. pay a \$250.00 fine and provide the information required by Rules 25-24.480(a) and (b), Florida Administrative Code, within thirty (30) days of this Order becoming final. It is further

ORDERED that if American WATS, Inc. complies with this Order, this docket shall be closed. It is further

ORDERED that if American WATS, Inc. does not comply with this Order, Certificate No. 2976 shall be cancelled and this docket shall be closed. It is further

ORDERED that unless a person, whose interests are substantially affected by the action proposed herein, files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, this Order shall become final.

By ORDER of the Florida Public Service Commission, this 20th day of March, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

MMB

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 25-22.029(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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on April 10, 1995.

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 substantially 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 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 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.