

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for cancellation) DOCKET NO. 950498-TS
of Shared Tenant Service) ORDER NO. PSC-95-0766-FOF-TS
Certificate No. 2030 by HUMBERTO) ISSUED: June 27, 1995
J. FEBLES.)
_____)

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 CANCELLING SHARED TENANT SERVICE CERTIFICATE NO. 2030

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 formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

On April 24, 1995, Ms. Ania F. Nitzsche, the daughter of the certificate holder Humberto J. Febles, contacted the Commission by letter. In this communication, Ms. Nitzsche advised that Mr. Febles was deceased and requested the cancellation of Shared Tenant Services Certificate of Public Convenience and Necessity No. 2030. According to Ms. Nitzsche, no telephone service was ever provided by Mr. Febles under Certificate No. 2030 and that all applicable regulatory assessment fees have been paid. Therefore, we grant the application for the cancellation of the Shared Tenant Services Certificate of Public Convenience and Necessity No. 2030.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request of Ania F. Nitzsche on behalf of Humberto J. Febles, for the cancellation of Shared Tenant Services Certificate of Public Convenience and Necessity No. 2030 is hereby approved. It is further

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ORDERED that this Order shall become final unless an appropriate petition for formal proceeding is received by the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date indicated below in the Notice of Further Proceedings or Judicial Review. It is further

ORDERED that Certificate No. 2030 be surrendered for cancellation within twenty (20) days of the date this Order becomes final. It is further

ORDERED that this docket shall be closed if no protest is timely filed.

By ORDER of the Florida Public Service Commission, this 27th day of June, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Lynn
Chief, Bureau of Records

(S E A L)

SCL

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on July 18, 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 adversely 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.