

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for cancellation) DOCKET NO. 951237-TC
of Pay Telephone Certificate No.) ORDER NO. PSC-95-1465-FOF-TC
2779 by Philip L. Helmuth.) ISSUED: November 28, 1995
_____)

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

ORDER CANCELLING CERTIFICATE AND CLOSING DOCKET

BY THE COMMISSION:

Phillip L. Helmuth, holder of Pay Telephone Certificate No. 2779, has requested to voluntarily cancel its Certificate of Public Convenience and Necessity, which allows for the provision of pay telephone service. Accordingly, we find it appropriate to cancel the certificate.

If he has not already done so, Phillip L. Helmuth is directed to return his certificate to the Commission.

Our cancellation of the certificate and the closing of this docket in no way diminishes Phillip L. Helmuth's obligation to pay due and owing regulatory assessment fees. Section 364.336, Florida Statutes, requires all certificate holders to pay a minimum of \$50 annually, if the certificate was active during any portion of the calendar year. It is the certificate holder's responsibility to pay any outstanding regulatory assessment fees and failure to receive notice does not relieve this obligation.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Certificate of Public Convenience and Necessity 2779 is cancelled effective upon the issuance of this Order. It is further

ORDERED that if Phillip L. Helmuth has not already done so shall return his certificate and remit any and all outstanding Regulatory Assessment Fees due the Florida Public Service Commission. It is further

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. PSC-95-1465-FOF-TC
DOCKET NO. 951237-TC
PAGE 2

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 28th
day of November, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: *Kay Deyan*
Chief, Bureau of Records

(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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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.