

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation  
of Alternative Access Vendor  
Certificate No. 4051 by Payphone  
Consultants, Inc., effective  
2/27/98.

DOCKET NO. 980315-TA  
ORDER NO. PSC-98-0521-FOF-TA  
ISSUED: April 15, 1998

The following Commissioners participated in the disposition of  
this matter:

JULIA L. JOHNSON, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CANCELLING ALTERNATIVE ACCESS VENDOR 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.

Payphone Consultants, Inc., holder of Alternative Access  
Vendor (AAV) Certificate of Public Convenience and Necessity No.  
4051, has complied with the provision of Rule 25-24.735(2), Florida  
Administrative Code, by providing adequate notice in writing of its  
request for cancellation of its AAV certificate. Accordingly, we  
find it appropriate to cancel Certificate No. 4051, effective  
February 27, 1998.

Payphone Consultants, Inc. shall return its certificate to  
this Commission. In addition, under Section 364.336, Florida  
Statutes, certificate holders must pay a minimum annual regulatory  
assessment fee of \$50 if the certificate was active during any  
portion of the calendar year. A Regulatory Assessment Fee Return

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REGULATORY ASSESSMENT FEE RETURN

ORDER NO. PSC-98-0521-FOF-TA  
DOCKET NO. 980315-TA  
PAGE 2

notice for 1998 will be mailed to Payphone Consultants, Inc. Neither the cancellation of its certificate nor the failure to receive a Regulatory Assessment Fee Return notice for 1998 shall relieve Payphone Consultants, Inc. from its obligation to pay due and owing regulatory assessment fees.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Payphone Consultants, Inc.'s Certificate No. 4051 to provide alternative access vendor services is hereby cancelled, effective February 27, 1998. It is further

ORDERED that Payphone Consultants, Inc. shall return its certificate to this Commission and remit all due and owing regulatory assessment fees for 1998. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the February 27, 1998 set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 15th day of April, 1998.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

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ORDER NO. PSC-98-0521-FOF-TA  
DOCKET NO. 980315-TA  
PAGE 3

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 May 6, 1998.

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.

ORDER NO. PSC-98-0521-FOF-TA  
DOCKET NO. 980315-TA  
PAGE 4

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.