

M E M O R A N D U M

April 29, 1998

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APR 29 1998

3:10

FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *VMP*
McB

RE: DOCKET NO. 971276-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 3614 ISSUED TO OTTO P. WILLIAMS FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES.

98-0610-EOF-TC

Attached is an ORDER CLOSING DOCKET, to be issued in the above referenced docket. (Number of pages in order - 3)

KMP/anr
Attachment
cc: Division of Communications
I: 971276.kmp

received at 4:00

See 2

*target - 10/11
mailed - 10/11*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 3614
issued to Otto P. Williams for
violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees.

DOCKET NO. 971276-TC
ORDER NO. PSC-98-0610-FOF-TC
ISSUED: April 30, 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.

ORDER CLOSING DOCKET

BY THE COMMISSION:

Rule 25-24.514(1), Florida Administrative Code, in part,
specify that the Commission may cancel a company's certificate for
violations of the Commission rules or orders, and for violations of
Florida Statutes.

In accordance with Rule 25-24.514(1)(b) and (c), Florida
Administrative Code, we issued Notice of Proposed Agency Action
Order No. PSC-97-1451-FOF-TC, on November 18, 1997. By that Order,
we required Mr. Williams to pay a \$500 fine for failure to comply
with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida
Administrative Code, and to remit all past due regulatory
assessment fees, along with statutory penalties and interest
charges. Further, Mr. Williams' certificate was to be canceled if
he failed to comply with the Order. On December 8, 1997, Mr.
Williams timely filed a letter protesting the PAA Order and
requesting a hearing on this matter.

DOCUMENT NUMBER-DATE

04889 APR 30 8

FPSC-RECORDS/REPORTING


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On February 20, 1998, Mr. Williams filed a letter notifying the Commission that he wished to withdraw his protest of the PAA Order. In his letter, Mr. Williams stated that he will be complying with Order No. PSC-97-1451-FOF-TC and would be forwarding all the monies assessed. Because Mr. Williams withdrew his protest and no other protests to the PAA Order were filed, we find no further issues for this Commission to address in this docket. Accordingly, we acknowledge Mr. Williams' request to withdraw his protest and make Order No. PSC-97-1451-FOF-TC final and effective as of the date of our vote, April 7, 1998.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that this docket is closed.

By ORDER of the Florida Public Service Commission this 30th day of April, 1998.



BLANCA S. BAYO, Director
Division of Records and Reporting

(S E A L)

KMP

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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.

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.