

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation
of Pay Telephone Certificate No.
5439 by Raul F. Banos, effective
4/13/98.

DOCKET NO. 981009-TC
ORDER NO. PSC-98-1353-FOF-TC
ISSUED: October 12, 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 CANCELLING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

Raul F. Banos, holder of Pay Telephone Certificate (PATS) of
Public Convenience and Necessity No. 5439, has requested the
cancellation of PATS Certificate No. 5439. Raul F. Banos has
complied with the provision of Rule 25-24.514(2), Florida
Administrative Code, by providing adequate notice in writing of his
request for cancellation of his PATS certificate and by submitting
his regulatory assessment fees for 1997. Accordingly, we find it
appropriate to cancel PATS Certificate No. 5439, effective
April 13, 1998.

Raul F. Banos shall return his 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 notice for 1998 will be
mailed to Raul F. Banos. Neither the cancellation of his
certificate nor the failure to receive a Regulatory Assessment Fee
Return notice for the year 1998 shall relieve Raul F. Banos from
his obligation to pay due and owing regulatory assessment fees.

Based on the foregoing, it is

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FPSC-RECORDS/REPORTING

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ORDERED by the Florida Public Service Commission that Raul F. Banos' Certificate No. 5439 to provide Pay Telephone services is hereby canceled, effective April 13, 1998. It is further

ORDERED that Raul F. Banos shall return his certificate to this Commission and remit all due and owing regulatory assessment fees for the year 1998. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission, this 12th day of October, 1998.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

CBW

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,

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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.

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