

MEMORANDUM

December 10, 1998

115-1001-180

DEC 10 AM 10:51

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK*

RE: DOCKET NO. 981209-TC - REQUEST FOR CANCELLATION OF PAY
TELEPHONE CERTIFICATE NO. 3458 BY KATHY L. STEPHENS,
EFFECTIVE 10/6/98. *MS*

98-1679-FOF-TC

Attached is an ORDER CANCELING PAY TELEPHONE CERTIFICATE, to be issued in the above-referenced docket. (Number of pages in order - 3)

BK/anr
Attachment
cc: Division of Communications
I: 981209or.bk

MUST GO TODAY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation
of Pay Telephone Certificate No.
3458 by Kathy L. Stephens,
effective 10/6/98.

DOCKET NO. 981209-TC
ORDER NO. PSC-98-1679-FOF-TC
ISSUED: December 10, 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 CANCELING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

Kathy L. Stephens, holder of Pay Telephone Certificate (PATS) of Public Convenience and Necessity No. 3458 has requested the cancellation of PATS Certificate No. 3458. Kathy L. Stephens has complied with the requirements of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of her request for cancellation of her PATS certificate and by submitting regulatory assessment fees for 1997. Accordingly, we find it appropriate to cancel PATS Certificate No. 3458, effective October 6, 1998.

Kathy L. Stephens shall return the 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 Kathy L. Stephens. Neither the cancellation of her certificate nor the failure to receive a Regulatory Assessment Fee Return notice for the year 1998 shall relieve Kathy L. Stephens from her obligation to pay due and owing regulatory assessment fees.

DOCUMENT NUMBER DATE

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FPCO RECORDS REPORTING

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Certificate No. 3458 to provide Pay Telephone services held by Kathy L. Stephens is hereby canceled. It is further

ORDERED that Kathy L. Stephens shall return her 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 10th day of December, 1998.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

BK

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.