

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of Pay  
Telephone Certificate No. 2401  
issued to Own Your Own Phone  
Centers, Inc. for violation of  
Rule 25-4.0161, F.A.C.,  
Regulatory Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 981203-TC  
ORDER NO. PSC-98-1720-FOF-TC  
ISSUED: December 18, 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 IMPOSING  
FINE OR CANCELING PAY TELEPHONE 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.

Own Your Own Phone Centers, Inc. currently holds Certificate  
of Public Convenience and Necessity No. 2401, issued by the  
Commission on November 1, 1989, authorizing the provision of pay  
telephone service. This docket was opened to cancel Own Your Own  
Phone Centers, Inc.'s certificate, unless it paid its delinquent  
1997 regulatory assessment fee, which was due by January 30, 1998,  
along with statutory penalties and interest for the years 1994,  
1995, 1996, and 1997, and to assess a \$500 fine for failure to

DOCUMENT NUMBER-DATE

14189 DEC 18 98

TRIP-RELOAD-REPORTING

ORDER NO. PSC-98-1720-FOF-TC  
DOCKET NO. 981203-TC  
PAGE 2

comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.

Pursuant to Rule 25-24.514(1)(b) and (c), Florida Administrative Code, we find it appropriate to cancel Own Your Own Phone Centers, Inc.'s certificate, unless it pays the fine in the amount of \$500 for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, to the Florida Public Service Commission. Own Your Own Phone Centers, Inc. must comply with this requirement within five business days from the date this Order becomes final. The fine will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund, pursuant to Section 364.516, Florida Statutes.

When the fine is received, this docket shall be closed. Should Own Your Own Phone Centers, Inc. fail to comply with this Order within five business days from the date this Order becomes final, it shall have its certificate canceled and this docket will be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Own Your Own Phone Centers, Inc. shall pay all past due regulatory assessment fees, including statutory penalties and interest, and a \$500 fine to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within five business days from the date this Order becomes final. The fine shall be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

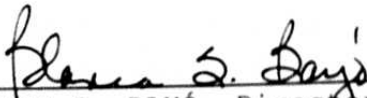
ORDERED that should Own Your Own Phone Centers, Inc. fail to comply with this Order, its certificate shall be canceled, and the docket shall be closed. It is further

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 date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDER NO. PSC-98-1720-FOF-TC  
DOCKET NO. 981203-TC  
PAGE 3

ORDERED that in the event this Order becomes final, this Docket shall be closed upon payment of the fine or cancellation of the certificate.

By ORDER of the Florida Public Service Commission, this 18th day of December, 1998.

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( 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.

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. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, 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 January 8, 1999.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date.

ORDER NO. PSC-98-1720-FOF-TC  
DOCKET NO. 981203-TC  
PAGE 4

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. 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.