

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation
of Pay Telephone Certificate No.
5833 by Fred C. Johnson,
effective 3/31/99.

DOCKET NO. 990408-TC
ORDER NO. PSC-99-1130-FOF-TC
ISSUED: June 7, 1999

The following Commissioners participated in the disposition of
this matter:

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

ORDER CANCELING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

Fred C. Johnson (Mr. Johnson), holder of Pay Telephone Certificate (PATS) of Public Convenience and Necessity No. 5833, has requested the cancellation of PATS Certificate No. 5833. Mr. Johnson 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 its PATS certificate and by submitting his regulatory assessment fees for 1998. Accordingly, we find it appropriate to cancel PATS Certificate No. 5833, effective March 31, 1999.

Mr. Johnson 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 Mr. Johnson. Neither the cancellation of his certificate nor the failure to receive a Regulatory Assessment Fee Return

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notice for the year 1999 shall relieve Mr. Johnson from his obligation to pay regulatory assessment fees for 1999.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Fred C. Johnson's Certificate No. 5833 to provide Pay Telephone services is hereby canceled, effective March 31, 1999. It is further

ORDERED that Fred C. Johnson shall return his certificate to this Commission and remit regulatory assessment fees for the year 1999. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission, this 7th day of June, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

KMP

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.

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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.