

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for  
certificates to provide pay  
telephone service by:

Stephen K. Wright d/b/a Telestar  
Payphones  
Wayne Kurta  
Mark A. Swinnerton  
Anthony Narducci

DOCKET NO. 990542-TC

DOCKET NO. 990561-TC

DOCKET NO. 990571-TC

DOCKET NO. 990572-TC

ORDER NO. PSC-99-1150-PAA-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.

NOTICE OF PROPOSED AGENCY ACTION  
ORDER GRANTING CERTIFICATES TO  
PROVIDE PAY TELEPHONE SERVICE

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.

The entities listed below have applied for certificates to  
provide Pay Telephone (PATS) service pursuant to Section 364.3375,  
Florida Statutes. Upon consideration of their applications, it  
appears to be in the public interest to grant the following PATS  
certificates to the entities listed below.

DOCUMENT NUMBER-DATE

06955 JUN-78

FPSC-RECORDS/REPORTING

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>
Stephen K. Wright d/b/a Telestar Payphones	7050
Wayne Kurta	7051
Mark A. Swinnerton	7052
Anthony Narducci	7053

If this Order becomes final and effective, it shall serve as each entity's certificate. It should, therefore, be retained by these entities as proof of certification.

Non-local exchange company Pay Telephone service providers are subject to Chapter 25-24, Florida Administrative Code, Part XI, Rules Governing Pay Telephone Service Provided by Other Than Local Exchange Telephone Companies. They are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide Pay Telephone service, subject to the terms and conditions specified in the body of this Order. It is further

ORDERED that this Order shall serve as these entities' certificates and they should retain this Order as proof of certification. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

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ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order, unless an appropriate petition, in the form provided by Rule 28-106.201, 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

ORDERED that in the event this Order becomes final, these Dockets shall be 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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As identified in the body of this order, our action granting the certificates 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, at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 28, 1999. If such a petition is filed, 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. In the absence of such a petition, this order shall become effective upon the issuance of a Consummating Order.

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 the relevant portion of this order becomes final and effective on the date described above, any party adversely 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.

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 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 or wastewater

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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.

M E M O R A N D U M

June 7, 1999

RECEIVED-PPSC

99 JUN -7 AM 10:39

RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (PEÑA) *vmf CB*  
RE: DOCKET NOS. 990542-TC, 990561-TC, 990571-TC, 990572-TC -  
APPLICATIONS FOR PAY TELEPHONE CERTIFICATES.

~~99-1111-PAA~~ 99-1150-PAA

Attached is an NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING CERTIFICATES TO PROVIDE PAY TELEPHONE SERVICE, to be issued in the above-referenced docket. (Number of pages in order - *A)5*)

KMP/anr  
Attachment  
cc: Division of Communications  
I: 990572.kmp

*See ✓*

*4:37*

*13/1*

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Date 6/8/99 19  
 Number of Originals 5 Copies Per Original \_\_\_\_\_  
 Requested By Kurt

Item Presented \_\_\_\_\_  
 Agenda For (Date) \_\_\_\_\_ Order No. 99-1150 In Docket No. 990542  
 Notice of \_\_\_\_\_ For (Date) \_\_\_\_\_ In Docket No. ↓  
 Other \_\_\_\_\_

990572

Special Handling Instructions

Distribution/Mailing

Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>19</u>	<u>Commission Offices</u>	<u>3</u>	<u>DK + Kurt</u>
<u>1</u>	<u>Docket Mailing List - Mailed</u>		
<u>13</u>	<u>Docket Mailing List - Faxed</u>		

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 87 Verified By Michael  
 Date and Time Completed 6/10 Job Checked For Correctness and Quality (Initial) ''

Mail Room Verification

Date Mailed / Verified By /