

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of STS
Certificate No. 4470 issued to
Collegiate Village Inn, Inc. for
violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees; Telecommunications
Companies.

DOCKET NO. 981946-TS
ORDER NO. PSC-99-1396-FOF-TS
ISSUED: July 20, 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 SHARED TENANT CERTIFICATE

BY THE COMMISSION:

Collegiate Village Inn, Inc. (Collegiate Village) currently holds Certificate of Public Convenience and Necessity No. 4470, issued by the Commission on July 23, 1996, authorizing the provision of Shared Tenant service (STS). The Division of Administration advised our staff by memorandum that Collegiate Village had not paid the regulatory assessment fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 1997. Also, accrued statutory penalties and interest charges for late RAF payments for the year 1997 have not been paid.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161 (2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing Shared Tenant (STS) service.

DOCUMENT NUMBER-DATE

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All applicants must attest that these rules have been received and understood by the applicant and an affidavit must be attached to the application in order for the application to be processed. Our correspondence regarding the RAFs was signed for and delivered to Collegiate Village on December 13, 1997.

On February 1, 1999 Collegiate Village paid the 1998 RAFs in full, however, the 1997 RAFs were still outstanding. Therefore, on April 6, 1999, Order No. PSC-99-0677-FOF-TS was issued to impose a \$500 fine for the RAFs Rule violation or cancel Collegiate Village's certificate. Mr. George Pegram, Collegiate Village's president, called our staff and advised that the company did not provide shared tenant services. Further, he advised that the company would pay its past due charges and requested voluntary cancellation of the certificate. The Division of Administration's records show that the company has paid the past due amount in full.

Collegiate Village has complied with the provision of Rule 24-24.572(2), Florida Administrative Code, by providing adequate notice in writing of his request for cancellation of his STS certificate and by submitting its regulatory assessment fees for the years 1997, and 1998. Accordingly, we find it appropriate to cancel STS Certificate No. 4470, effective December 31, 1998. Collegiate Village shall return its certificate to this Commission.

Based on the foregoing, it is

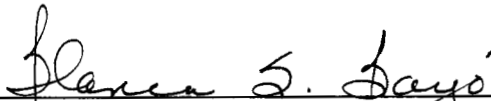
ORDERED by the Florida Public Service Commission that Collegiate Village Inn, Inc.'s Certificate No. 4470 to provide Shared Tenant services is hereby canceled, effective December 31, 1998. It is further

ORDERED that Collegiate Village Inn, Inc. shall return his certificate. It is further

ORDERED that this Docket is closed.

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By ORDER of the Florida Public Service Commission, this 20th
day of July, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(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.

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.

M E M O R A N D U M

July 19, 1999

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RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *vmp CB*

RE: DOCKET NO. 981946-TS - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF STS CERTIFICATE NO. 4470 ISSUED TO COLLEGIATE VILLAGE INN, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES

99-1396-FOF

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

KMP/anc
Attachment
cc: Division of Communications (Isler)
I: 981946v.kmp

See 1,2

W/DRA