

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 3905
issued to Mark D. Ridley for
violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees.

DOCKET NO. 971279-TC
ORDER NO. PSC-99-1643-PCO-TC
ISSUED: August 25, 1999

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code, a Prehearing Conference was held on August 16, 1999, in Tallahassee, Florida, before Commissioner E. Leon Jacobs, as Prehearing Officer.

APPEARANCES:

Catherine Bedell, Esquire, Florida Public Service
Commission, 2540 Shumard Oak Boulevard, Tallahassee,
Florida 32399-0850
On behalf of the Commission Staff.

ORDER CONTINUING PROCEEDING

I. CONDUCT OF PROCEEDINGS

Pursuant to Rule 28-106.211, Florida Administrative Code, this Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

II. CASE BACKGROUND

On October 3, 1997, the Commission opened this docket to cancel Pay Telephone Certificate No. 3905, issued to Mark D. Ridley December 23, 1994, by Order No. PSC-94-1436-FOF-TC, for Mr. Ridley's failure to pay regulatory assessment fees in 1996. On November 18, 1997, the Commission issued proposed agency action (PAA) Order No. PSC-97-1454-FOF-TC. The PAA Order canceled

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Mr. Ridley's pay telephone certificate or, in the alternative, required him to pay a \$500 fine and all past due regulatory assessment fees, as well as statutory penalties and interest. On December 4, 1997, Mr. Ridley protested the PAA Order. We have not, however, received any further contact from Mr. Ridley, and our staff's efforts to contact Mr. Ridley have been unsuccessful. This matter has been set for hearing on September 3, 1999.

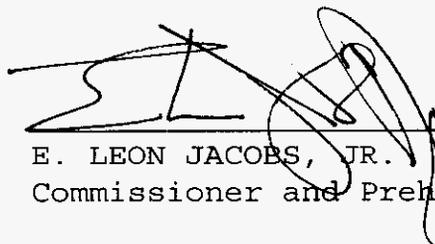
III. CONTINUANCE

Mr. Ridley failed to appear at the August 16, 1999, prehearing conference and did not comply with any portion of the Order Establishing Procedure for this Docket, Order No. PSC-99-0520-PCO-TC, issued March 18, 1999. Therefore, the prehearing conference and the September 3, 1999, hearing shall be continued to allow our staff to prepare a recommendation to dismiss the proceedings and cancel the certificate for consideration by the full Commission.

It is therefore,

ORDERED by Commissioner E. Leon Jacobs, as Prehearing Officer, that the proceedings in this Docket are continued for the reason and purpose set forth in the body of this Order.

By ORDER of Commissioner E. Leon Jacobs, Jr. as Prehearing Officer, this 25th day of August, 1999.



E. LEON JACOBS, JR.
Commissioner and Prehearing Officer

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.