

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of Pay  
Telephone Certificate No. 4561  
issued to Madelon W. Sprouse for  
violation of Rule 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees, Telecommunications  
Companies.

DOCKET NO. 991064-TC  
ORDER NO. PSC-00-0066-FOF-TC  
ISSUED: January 7, 2000

The following Commissioners participated in the disposition of  
this matter:

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

ORDER CANCELING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

Madelon W. Sprouse (Ms. Sprouse) currently holds Certificate of Public Convenience and Necessity No. 4561, issued by the Commission on April 9, 1996, authorizing the provision of Pay Telephone service (PATS). The Division of Administration advised our staff by memorandum that Ms. Sprouse 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 1998. Also, accrued statutory penalties and interest charges for late RAFs payments for the year 1998 had 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 Pay Telephone (PATS) service. All applicants must attest that these rules have been received and

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understood by the applicant and an affidavit must be attached to the application in order for the application to be processed.

At the October 5, 1999, Agenda Conference, we voted to impose a \$500 fine and required payment of the fine and fees or Ms. Sprouse's certificate would be canceled. On this same date, the staff of the Division of Administration advised the Ms. Sprouse had called and informed that she had requested the cancellation of her certificate when she filed and paid the 1996 RAFs on June 12, 1997. On October 22, 1999, Order No. PSC-99-2095-PAA-TC was issued to reflect the vote on the October 5, 1999, Agenda Conference. The staff of the Division of Administration conducted an investigation and found the Ms. Sprouse in fact had requested the cancellation in her 1996 RAFs form. They further found that Ms. Sprouse had also paid the 1997 RAFs on June 12, 1997.

Ms. Sprouse has complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of her request for cancellation of her PATS certificate and by submitting her RAFs for the year 1998. Accordingly, we find it appropriate to cancel PATS Certificate No. 4561, effective June 12, 1997. Ms. Sprouse shall return her certificate to this Commission.

Based on the foregoing, it is

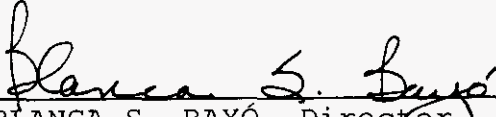
ORDERED by the Florida Public Service Commission that Madelon W. Sprouse' Certificate No. 4561 to provide Pay Telephone services is hereby canceled, effective June 12, 1997. It is further

ORDERED that Madelon W. Sprouse shall return her certificate to this Commission. It is further

ORDERED that this Docket is closed.

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By ORDER of the Florida Public Service Commission this 7th  
day of January, 2000.

  
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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.