

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation  
of PATS Certificate No. 5832 by  
Dan Strickland, and application  
for certificate to provide pay  
telephone service by Bealls  
Communications Group, Inc.

DOCKET NO. 000491-TC  
ORDER NO. PSC-00-2020-PAA-TC  
ISSUED: June 9, 2000

The following Commissioners participated in the disposition of  
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CANCELLING PAY TELEPHONE CERTIFICATE NO. 5832  
AND GRANTING CERTIFICATE NO. 7476 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.

Dan Strickland, holder of Pay Telephone (PATS) Certificate of  
Public Convenience and Necessity No. 5832, has requested that  
Certificate No. 5832 be cancelled and applied for a certificate to  
provide PATS service pursuant to Section 364.3375, Florida  
Statutes, for his company, Bealls Communications Group, Inc..

Dan Strickland 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 his Pay  
Telephone certificate and by submitting his Regulatory Assessment

DOCUMENT NUMBER-DATE

07061 JUN-98

FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-2020-PAA-TC  
DOCKET NO. 000491-TC  
PAGE 2

Fees for 1999. Accordingly, we find it appropriate to cancel PATS Certificate No. 5832.

Dan Strickland shall return its 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 the year 2000 will be mailed to Dan Strickland; however, neither the cancellation of its certificate nor the failure to receive his Regulatory Assessment Fee Return notice for the year 2000 shall relieve Dan Strickland from its obligation to pay Regulatory Assessment Fees for the year 2000.

Upon consideration of Bealls Communications Group, Inc.'s application, it appears to be in the public interest to grant PATS Certificate No. 7476 to Bealls Communications Group, Inc..

If this Order becomes final and effective, it shall serve as Bealls Communications Group, Inc.'s certificate. It should, therefore, be retained as proof of certification. The effective date of the cancellation of Certificate No. 5832 will be the same effective date as the new Certificate No. 7476 to avoid a break in service.

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 the request by Dan Strickland to cancel Pay Telephone Certificate No. 5832 is hereby approved. It is further

ORDERED that Dan Strickland shall return his certificate and remit Regulatory Assessment Fees for the year 2000. It is further

ORDERED that we hereby grant to Bealls Communications Group, Inc. Certificate No. 7476 to provide Pay Telephone service, subject to the terms and conditions specified in the body of this Order. It is further

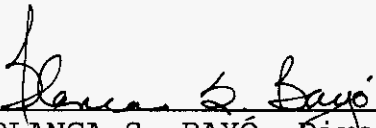
ORDER NO. PSC-00-2020-PAA-TC  
DOCKET NO. 000491-TC  
PAGE 3

ORDERED that this Order shall serve as Bealls Communications Group, Inc.'s certificate and this Order should be retained as proof of certification. It is further

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, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 9th day of June, 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 that is available under Section 120.57, 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 will be granted or result in the relief sought.

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.

The action proposed herein 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 30, 2000.

In the absence of such a petition, this order shall become final and 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.