

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation
of Pay Telephone Certificate No.
7308 by Excel Telecommunications
Group, Inc., effective 8/1/01.

DOCKET NO. 011087-TC
ORDER NO. PSC-01-1843-FOF-TC
ISSUED: September 12, 2001

ORDER CANCELING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

Excel Telecommunications Group, Inc. (Excel), holder of Pay Telephone Certificate (PATS) of Public Convenience and Necessity No. 7308, has requested the cancellation of PATS Certificate No. 7308. Excel has complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its PATS certificate and by submitting its Regulatory Assessment Fees (RAFs) for the year 2000. Accordingly, we find it appropriate to cancel PATS Certificate No. 7308, effective August 1, 2001. The Commission is vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAFs of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for the year 2001 will be mailed to Excel. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the year 2001 shall relieve Excel from its obligation to pay RAFs for the year 2001.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Excel Telecommunications Group, Inc.'s Certificate No. 7308 to provide Pay Telephone services is hereby canceled, effective August 1, 2001. It is further

ORDERED that Excel Telecommunications Group, Inc. shall remit Regulatory Assessment Fees for the year 2001. It is further

ORDERED that this Docket is closed.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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By ORDER of the Florida Public Service Commission this 12th
Day of September, 2001.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

JAE

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 the Commission Clerk and Administrative Services, 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

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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 the Commission Clerk and Administrative Services 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.