

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for transfer of )	DOCKET NO. 900756-TS
Shared Tenant Services Certificate )	
No. 2180 from EXECUTIVE SUITES OF )	ORDER NO. 24196
FORT LAUDERDALE to SENTINEL PROPERTY )	
MANAGEMENT CORP. d/b/a EXECUTIVE )	ISSUED: 3-5-91
SUITES OF FORT LAUDERDALE )	
_____ )	

The following Commissioners participated in the disposition of this matter:

- THOMAS M. BEARD, Chairman
- J. TERRY DEASON
- BETTY EASLEY
- GERALD L. GUNTER
- MICHAEL MCK. WILSON

NOTICE OF PROPOSED AGENCY ACTION  
ORDER TRANSFERRING STS CERTIFICATE NUMBER 2180

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Due to financial problems suffered by EXECUTIVE SUITES OF FORT LAUDERDALE (ESFL), SENTINEL PROPERTY MANAGEMENT CORP. (the Company), a corporation authorized to conduct business in Florida, foreclosed on ESFL's mortgage. The management of the building which is located at 1415 East Sunrise Boulevard, Fort Lauderdale, Florida 33304, was assumed by SENTINEL PROPERTY MANAGEMENT CORP. Unaware of the need to transfer control of the STS certificate, the Company continued to manage the property using an Essex shared tenant system. The Company's failure to transfer the STS certificate was discovered in September, 1990, when arrangements were made to install a new AT&T system.

On September 12, 1990, this Commission received an application for authority to transfer Shared Tenant Service Certificate No. 2180 from ESFL to SENTINEL PROPERTY MANAGEMENT CORP. d/b/a EXECUTIVE SUITES OF FORT LAUDERDALE. The authority is to be limited to the provision of shared tenant services to the commercial tenants at the building whose address is set forth above.

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The applicant shall be required to follow all requirements contained in Order No. 17111 and Order No. 17369 and assure that non-affiliated tenants within the same building are not able to engage in telephone conversation without first accessing the local exchange company.

After considering SENTINEL PROPERTY MANAGEMENT CORP.'s application, we find that the Company appears to meet all applicable requirements to provide shared tenant telephone service in Florida. Therefore, if no protest is made by a substantially effected person within the period set forth below, SENTINEL PROPERTY MANAGEMENT CORP. d/b/a EXECUTIVE SUITES OF FORT LAUDERDALE shall be granted the transfer of Shared Tenant Services Certificate No. 2180, Certificate of Public Convenience and Necessity, to provide shared tenant service at 1415 East Sunrise Boulevard, Fort Lauderdale, Florida 33304.

As discussed above, the Company was unaware of the need to transfer control of the STS certificate and continued to manage the property using an Essex shared tenant system after the foreclosure of the mortgage. When the need for a certificate was discovered the Company contacted this Commission and the process of transferring the certificate was begun. In order to insure continued service to the existing customers without interruption, our staff requested Southern Bell to continue to provide local telephone service until the certificate could be transferred. The Company has worked with our staff in order to complete the transfer of the certificate. Based on the foregoing we find that imposition of a fine for providing STS service without a certificate is not appropriate.

Based upon the foregoing it is,

ORDERED by the Florida Public Service Commission that the transfer of Shared Tenant Services Certificate No. 2180, providing service at 145 East Sunrise Boulevard, Fort Lauderdale, Florida 33304, from EXECUTIVE SUITES OF FORT LAUDERDALE to SENTINEL PROPERTY MANAGEMENT CORP. d/b/a EXECUTIVE SUITES OF FORT LAUDERDALE is hereby approved. It is further,

ORDERED that SENTINEL PROPERTY MANAGEMENT CORP. shall not be required to show cause in writing, why it should not be fined for

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violation of Commission Order 17111, Paragraph I, Certification Requirements and Procedures. It is further,

ORDERED that this docket shall be closed after the protest period for this proposed agency action which is set forth below.

By ORDER of the Florida Public Service Commission, this  
5th day of March, 1991.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

CWM

by: Kay Flynn  
Chief, Bureau of Records

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This

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petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 26, 1991.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer 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 of the effective date 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.