

SWAFFORD *JA*

CLARK *DIS for SC*

FLORIDA PUBLIC SERVICE COMMISSION
Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399

MEMORANDUM

August 15, 1991

TO : DIVISION OF RECORDS AND REPORTING *T for SPH*

FROM : DIVISION OF LEGAL SERVICES (ADAMS) *ADAMS*
DIVISION OF COMMUNICATIONS (AUSTIN) *AUSTIN*

RE : DOCKET NOS. 910173-TC, 910178-TC, 910188-TC,
910197-TC, 910201-TC, 910211-TC, 910222-TC,
910230-TC, 910240-TC, 910244-TC, 910264-TC,
910267-TC, 910283-TC, 910303-TC, 910336-TC,
~~910340-TC~~, 910342-TC, 910345-TC, 910357-TC,
910369-TC, 910390-TC, 910411-TC, -INITIATION OF
SHOW CAUSE PROCEEDINGS FOR VIOLATION OF RULE 25-
24.520 ANNUAL REPORT REQUIREMENT

AGENDA : PLACE ON AUGUST 27, 1991 - CONTROVERSIAL - PARTIES
MAY PARTICIPATE

PANEL : FULL COMMISSION

CASE BACKGROUND

Rule 25-24.520, Florida Administrative Code, requires certificate PATS providers to file an annual report by January 31 of the following year. Following the decision by the Commission on the April 30, 1991 agenda to initiate show cause proceedings against those companies who failed to file an annual report for 1990, Commission Orders were issued requiring companies to show cause why they should not be fined \$250 or, in the alternative, face cancellation of their certificates. The companies referenced in the above dockets filed responses to their respective show cause orders.

DOCUMENT NUMBER-DATE

08251 AUG 15 1991

FPC-RECORDS/REPORTING

Docket No. 910173-TC
August 15, 1991

DISCUSSION OF ISSUES

ISSUE 1: Should American Multi-Cinema, Inc. be required to pay a \$250 fine proposed in Commission Order 24468, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520?

RECOMMENDATION: Yes, American Multi-Cinema, Inc. should be required to pay the \$250 fine for violation of Rule 25-24.520, F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: American Multi-Cinema, Inc. has been a certificated pay telephone provider since December 22, 1988. On May 10, 1991, American Multi-Cinema (AMC), Inc. filed a response to Commission Order 24468 (Attachment A). AMC admitted and apologized for its failure to file a annual report for 1990 by January 31, 1991. AMC indicated that the annual report did not reach the proper personnel; therefore, the annual report was not filed. AMC requested that the fine not be imposed since this is its first offense and annual reports in the past have been filed in a timely manner.

By completing the application for a PATS certificate, AMC was placed on notice of the various filings required to operate as a regulated utility in the state of Florida. Regardless of whether a notification to file an annual report was received by the proper personnel, AMC is still held responsible for filing an annual report. AMC failed to make specific factual or legal arguments that, even if accepted as true, would constitute an effective defense to the allegations made in Order 24468. The overall effect of AMC's response is to act as a default and waiver of the right to a formal hearing.

Staff recommends that the Commission impose the fine proposed in Order No. 24468 or, in the alternative, permit AMC to voluntarily cancel its certificate. If staff's recommendation is approved, and provided AMC fails to respond to the order within 30 days, staff recommends that Certificate No. 2194 be canceled and this docket be automatically closed.

Docket No. 910178-TC
August 15, 1991

ISSUE 2: Should Ardan Communications be required to pay a \$250 fine proposed in Commission Order 24468, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520?

RECOMMENDATION: Yes, Ardan Communications should be required to pay the \$250 fine for violation of Rule 25-24.520, F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Ardan Communications has been a certificated pay telephone provider since August 8, 1989. Ardan Communications (Ardan) filed a response to Commission Order 24468 on May 14, 1991 with the Division of Records and Reporting (Attachment B). Ardan indicated that failure to file its annual report was an oversight and the annual report was filed with the Division of Communications on February 21, 1991.

By completing the application for a PATS certificate, Ardan was placed on notice of the various filings required to operate as a regulated utility in the state of Florida. However, Ardan did not file its 1990 annual report on time, nor did Ardan present any specific factual or legal arguments to deter waiver of the fine imposed. Ardan's failure to raise factually or legally sufficient arguments constitute a default and waiver of the right to a formal hearing.

Staff recommends that the Commission impose the fine proposed in Order No. 24468 or, in the alternative, permit Ardan to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Ardan fails to respond to the order within 30 days, staff recommends that Certificate No. 2343 be canceled and this docket be automatically closed.

Docket No. 910188-TC
August 15, 1991

ISSUE 3: Should Bailey's Grocery be required to pay a \$250 fine proposed in Commission Order 24469, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Bailey's Grocery should be required to pay the \$250 fine for violation of Rule 25-24.520, F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Bailey's Grocery has been a certificated pay telephone provider since April 14, 1989. On May 30, 1991, Bailey's Grocery (Bailey's) filed a response to Commission Order 24469 (Attachment C). Bailey's indicated that it in fact did file an annual report for 1990 by January 1991. Bailey's included another copy of its report; however, Bailey's submitted a copy of its application and not the annual report for 1990. Staff can only infer from Bailey's response that the company does not completely understand the annual report requirements set forth in Rule 25-24.520.

By filing an application for a certificate, Bailey's was put on notice regarding all filing requirements. To date, staff has not received an annual report from Bailey's for 1990. Bailey's has not presented any specific factual or legal arguments that would warrant waiver of the fine specified in Order 24469. Furthermore, because the company failed to request a hearing, the response functions as a waiver of the right to a hearing.

Staff recommends that the Commission impose the fine proposed in Order 24469 or, in the alternative, permit Bailey's to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Bailey's fails to respond to the Order within 30 days, staff recommends that Certificate No. 2273 be canceled and this docket be automatically closed.

Docket No. 910197-TC
August 15, 1991

ISSUE 4: Should Calico Jack's of Florida, Inc. be required to pay a \$250 fine proposed in Commission Order 24493, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Calico Jack's of Florida, Inc. should be required to pay the \$250 fine for violation of Rule 25-24.520, F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Calico Jack's of Florida, Inc. (Calico) has been a certificated pay telephone provider since January 8, 1986. Calico filed a response to Commission Order 24493 on May 13, 1991 (Attachment D). Essentially, confusion exists between the annual report and the regulatory assessment fee. Calico indicated that it paid the \$25.00 fee in accordance with our rules on January 31, 1991. The Commission has ruled that confusion between the annual report requirement and the regulatory assessment fee requirement does not justify failure to comply with either requirement. Although confusion exists regarding the annual report and the regulatory assessment fee, Calico is still held responsible for filing both pieces of documentation by January 1991. Calico is not being show caused for failure to file its regulatory assessment fee; therefore, the evidence presented by Calico is not valid in this proceeding.

Staff recommends that the Commission impose the fine proposed in Order 24493 or, in the alternative, permit Calico to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Calico fails to respond to the Order within 30 days, staff recommends that Certificate No. 499 be canceled and this docket be automatically closed.

Docket No. 910201-TC
August 15, 1991

ISSUE 5: Should CMR Group, Inc. be required to pay a \$250 fine proposed in Commission Order 24493, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, CMR Group, Inc. should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: CMR Group, Inc. (CMR) has been a certificated pay telephone provider since January 10, 1989. On May 31, 1991, CMR filed a response to Commission Order 24493 with the Division of Records and Reporting (Attachment E). According to CMR, the company was unable to file its annual report because it has changed its name and mailing address. Confusion also exists between the regulatory assessment fee and the annual report with CMR. CMR indicated that there was no revenue for the fiscal year 1990 and it eventually filed its report. However, in this instance the arguments presented by CMR are not valid because the show cause order was issued for failure to file the annual report and not the regulatory assessment fee.

Staff recommends that the Commission impose the fine proposed in Order 24493 or, in the alternative, permit CMR to voluntarily cancel its certificate. If staff's recommendation is approved, and provided CMR fails to respond to the Order within 30 days, staff recommends that Certificate No. 2216 be canceled and this docket be automatically closed.

Docket No. 910211-TC
August 15, 1991

ISSUE 6: Should Community Quick Stop be required to pay a \$250 fine proposed in Commission Order 24503, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Community Quick Stop should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Community Quick Stop has been a certificated pay telephone provider since September 12, 1989. Community Quick Stop (Community) filed a response to Commission Order 24503 on May 17, 1991 with the Division of Records and Reporting (Attachment F). Community indicated that it did not know about the annual report and a willingness to file a report upon receipt of a form. Staff sent an additional annual report to the company, and Community filed its annual report on July 24, 1991.

PATS providers are placed on notice of the annual report requirement by filling out the application for the Certificate of Public Convenience and Necessity. The duty to file on a timely basis is an affirmative duty and it is incumbent upon the PATS provider to do so. Failure to do so is grounds for a penalty regardless of subsequent remedial measures. Additionally, Community presented no factual or legal arguments regarding its failure to file the annual report.

Staff recommends that the Commission impose the fine proposed in Order 24503 or, in the alternative, permit Community to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Community fails to respond to the Order within 30 days, staff recommends that Certificate No. 2359 be canceled and this docket be automatically closed.

Docket No. 910222-TC
August 15, 1991

ISSUE 7: Should EDL, Inc. d/b/a El Floridita Restaurant be required to pay a \$250 fine proposed in Commission Order 24503, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, EDL, Inc. d/b/a El Floridita Restaurant should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: EDL, Inc. d/b/a El Floridita Restaurant (El Floridita) has been a certificated pay telephone provider since January 10, 1989. On May 15, 1991, El Floridita filed a response to Commission Order 24503 (Attachment G). El Floridita indicated that it acquired a pay telephone certificate in order to provide its customers with international calls. El Floridita asked to have its certificate put on hold for one year so that it may be able to secure a long distance carrier.

El Floridita did not provide any explanation regarding its failure to file an annual report. Regardless of its reasons for acquiring pay telephone service, El Floridita is responsible for filing an annual report. El Floridita's response is essentially a default and waiver of any right to a formal hearing.

Staff recommends that the Commission impose the fine proposed in Order 24503 or, in the alternative, permit El Floridita to voluntarily cancel its certificate. If staff's recommendation is approved, and provided El Floridita fails to respond to the Order within 30 days, staff recommends that Certificate No. 2218 be canceled and this docket be automatically closed.

Docket No. 910230-TC
August 15, 1991

ISSUE 8: Should Flamingo Motel be required to pay a \$250 fine proposed in Commission Order 24494, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520 F.A.C.?

RECOMMENDATION: Yes, Flamingo Motel should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Flamingo Motel (Flamingo) was certificated on September 22, 1988. On May 23, 1991, Flamingo filed a response to Commission Order 24494 (Attachment H). Flamingo indicated that it in fact did file an annual report for 1990. However, Flamingo was unable to produce any documentation to support its statement; therefore, its response is little more than a naked assertion that the annual report was filed on time. Flamingo also addresses in its response the revenue earned from the pay phone and the importance of maintaining the phone.

Staff believes that Flamingo may have confused the annual report and regulatory assessment fee, given the fact that the regulatory assessment fee was filed on May 16, 1991 with the Division of Administration. Even though confusion may exist Flamingo, however, is still held responsible for the a prompt filing of its annual report for 1990. Flamingo's response fails to allege a sufficient defense to the allegations set forth in Order No. 24494. The company's response is effectively a default and waiver of the right to a formal hearing.

Staff recommends that the Commission impose the fine proposed in Order 24494 or, in the alternative, permit Flamingo to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Flamingo fails to respond to the Order within 30 days, staff recommends that Certificate No. 2137 be canceled and this docket be automatically closed.

Docket No. 910240-TC
August 15, 1991

ISSUE 9: Should Fountains Lounge be required to pay a \$250 fine proposed in Commission Order 24502, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Fountains Lounge should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Fountains Lounge (Fountain) has been certificated since June 20, 1988 to operate pay telephones in Florida. Fountains filed a response to Commission Order 24502 on May 20, 1991 (Attachment I). Fountains indicated that failure to file its annual report was an oversight and not a deliberate intention to ignore the rules. Fountain's only defense to Order 24502 is not having received the annual report form. The Commission has often ruled that forms are only mailed out as a courtesy and a reminder. Certificated utilities are placed on notice of the requirement by filling out the application for a certificate. Fountain indicated that it had filed its annual report on time in January 1989. Fountains did in fact file its annual report on time for January 1989. However, Fountain did not present any legal or factual arguments regarding its failure to file an annual report for 1990. Fountain's response is effectively a default and waiver of the right to a hearing.

Staff recommends that the Commission impose the fine proposed in Order 24502 or, in the alternative, permit Fountains to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Fountains fails to respond to the Order within 30 days, staff recommends that Certificate No. 2046 be canceled and this docket be automatically closed.

Docket No. 910244-TC
August 15, 1991

ISSUE 10: Should Grayborn Enterprises, Inc. d/b/a Pizzeria Uno be required to pay a \$250 fine proposed in Commission Order 24502, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Grayborn Enterprises, Inc. d/b/a Pizzeria Uno should be required to pay the \$250 fine for violation of Rule 25-24.520, or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Grayborn Enterprises, Inc. d/b/a Pizzeria Uno (Grayborn Enterprises) has been a certificated pay telephone provider since May 1, 1989. On May 21, 1991, Grayborn Enterprises filed a response to Commission Order 24502 with the Division of Records and Reporting (Attachment J). Essentially, Grayborn Enterprises' response admits that it was late in filing the annual report. PATS providers are placed on notice of the annual report requirement by filling out the application for the Certificate of Public Convenience and Necessity. The duty to file on a timely basis is an affirmative duty and it is incumbent upon the PATS provider to do so. Failure to do so is grounds for a penalty regardless of unfortunate circumstances. Grayborn Enterprises has not presented any legal or factual arguments that would warrant waiver of the fine imposed in Commission Order 24502. Therefore, Grayborn Enterprises' response constitutes a default and waiver of the right to a formal hearing.

Staff recommends that the Commission impose the fine proposed in Order 24502 or, in the alternative, permit Grayborn Enterprises to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Grayborn Enterprises fails to respond to the Order within 30 days, staff recommends that Certificate No. 2290 be canceled and this docket be automatically closed.

Docket No. 910264-TC
August 15, 1991

ISSUE 11: Should J.P.'S Auto Service be required to pay a \$250 fine proposed in Commission Order 24495, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, J.P.'S Auto Service should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: J.P.'s Auto Service (J.P.) was certificated to provide pay telephone service in Florida on July 29, 1988. J.P. filed a response to Commission Order 24495 on June 10, 1991 with the Division of Records and Reporting (Attachment K). J.P. indicated that it filed its annual report on time and its certificate should not be canceled nor a fine imposed. However, the documentation provided by J.P. to support its statement was a copy of the regulatory assessment fee and canceled check. Although confusion exists regarding the regulatory assessment fee and the annual report, J.P. is still held responsible for filing an annual report each year by January 31st. The documentation presented by J.P. is not valid in this proceeding.

Staff recommends that the Commission impose the fine proposed in Order 24502 or, in the alternative, permit J.P.'S Auto Service to voluntarily cancel its certificate. If staff's recommendation is approved, and provided J.P. fails to respond to the Order within 30 days, staff recommends that Certificate No. 2082 be canceled and this docket be automatically closed.

Docket No. 910267-TC
August 15, 1991

ISSUE 12: Should La Nueva Estrella Restaurant, Inc. be required to pay a \$250 fine proposed in Commission Order 24507, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520 F.A.C.?

RECOMMENDATION: Yes, La Nueva Estrella Restaurant, Inc. should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: La Nueva Estrella Restaurant, Inc. (La Nueva) has been certificated to operated pay telephones in Florida since April 25, 1987. La Nueva filed a response to Commission Order 24507 on May 16, 1991 (Attachment L). La Nueva indicated that it did not file an annual report because it did not receive any reminder or a return to file. La Nueva notified staff over the phone regarding receipt of the annual report form, and staff sent a copy of the annual report form to La Nueva on May 13, 1991. La Nueva has filed two annual reports in the past and should be familiar with this requirement. Regardless of whether a form was received, La Nueva is responsible for meeting the annual report requirement.

Staff recommends that the Commission impose the fine proposed in Order 24507 or, in the alternative, permit La Nueva to voluntarily cancel its certificate. If staff's recommendation is approved, and provided La Nueva fails to respond to the Order within 30 days, staff recommends that Certificate No. 1550 be canceled and this docket be automatically closed.

Docket No. 910283-TC
August 15, 1991

ISSUE 13: Should Mel Ketay d/b/a All-Tech be required to pay a \$250 fine proposed in Commission Order 24520, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520 F.A.C.?

RECOMMENDATION: Yes, Mel Ketay d/b/a All-Tech should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Mel Ketay d/b/a All-Tech (All-Tech) was certificated to operate pay telephones in Florida on June 28, 1989. All-Tech filed a response to Commission Order 24520 on May 24, 1991 (Attachment M). All-Tech indicated that it misunderstood what need to be filed and instead sent in an additional \$25.00 check. Staff sent All-Tech a copy of the annual report form, and then All-Tech filed the annual report with its response on May 24th. All-Tech did not present any legal or factual arguments that would constitute waiver of the fine imposed in Order 24520.

Staff recommends that the Commission impose the fine proposed in Order 24520 or, in the alternative, permit All-Tech to voluntarily cancel its certificate. If staff's recommendation is approved, and provided All-Tech fails to respond to the Order within 30 days, staff recommends that Certificate No. 2327 be canceled and this docket be automatically closed.

Docket No. 910303-TC
August 15, 1991

ISSUE 14: Should Noah's Ark be required to pay a \$250 fine proposed in Commission Order 24519, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520 F.A.C.?

RECOMMENDATION: Yes, Noah's Ark should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Noah's Ark has been certificated to operate pay telephones in Florida since February 12, 1987. On May 16, 1991, a response to Commission Order 24519 was received from Noah's Ark (Attachment N). Noah's Ark indicated that it was not aware of an annual report filing requirement. Staff sent a copy of an annual report to Noah's Ark. Noah's Ark further indicated that it in fact did file the required annual report. An annual report was received from Noah's Ark on April 20, 1991. However, a late filed annual report is a violation of rules, and Noah's Ark is responsible for filing an annual report by January 31st. Outside of the documentation presented by Noah's Ark, no factual or legal arguments were provided by Noah's Ark that would constitute waiver of the fine imposed in Order 24519.

Staff recommends that the Commission impose the fine proposed in Order 24519 or, in the alternative, permit Noah's Ark to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Noah's Ark fails to respond to the Order within 30 days, staff recommends that Certificate No. 1440 be canceled and this docket be automatically closed.

Docket No. 910336-TC
August 15, 1991

ISSUE 15: Should Red Coconut R.V. Park be required to pay a \$250 fine proposed in Commission Order 24521, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Red Coconut R.V. Park should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Red Coconut R.V. Park (Red Coconut) was certificated to operate pay telephones in Florida on May 28, 1986. Red Coconut filed a response to Commission Order 24521 on May 29, 1991 (Attachment O). Red Coconut indicates that based on its conversation with staff on May 17, 1991, payment of the regulatory assessment fee would be sufficient to keep its certificate active. However, staff sent a copy of an annual report as a follow-up to the phone conversation with Red Coconut. Red Coconut filed the annual report on May 28, 1991. Red Coconut has filed annual reports with the Division of Communications for three previous years. Although it misinterpreted the conversation with staff, it is Red Coconut's responsibility to file an annual report in a timely manner. Red Coconut did not present any documentation nor factual or legal arguments that would constitute waiver of the fine imposed in Order 24521.

Staff recommends that the Commission impose the fine proposed in Order 24521 or, in the alternative, permit Red Coconut to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Red Coconut fails to respond to the Order within 30 days, staff recommends that Certificate No. 913 be canceled and this docket be automatically closed.

Docket No. 910340-TC
August 15, 1991

ISSUE 16: Should Ronald J. Slaughter be required to pay a \$250 fine proposed in Commission Order 24517, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Ronald J. Slaughter should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Ronald J. Slaughter (Mr. Slaughter) has been a certificated pay telephone provider since September 22, 1988. On June 4, 1991, a response to Commission Order 24517 was received from Mr. Slaughter (Attachment P). Mr. Slaughter indicated that he spoke with staff and was advised of his options. Mr. Slaughter further indicated that he did not have any legal or factual arguments to present regarding his failure to file an annual report for the year 1990. Mr. Slaughter has requested an extension to pay the fine imposed in Order 24517. Staff believes that such a request should be denied due to the fact that this proceedings will run approximately a total of five months provided staff's recommendation to impose the fine is approved.

Staff recommends that the Commission impose the fine proposed in Order 24517 or, in the alternative, permit Mr. Slaughter to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Mr. Slaughter fails to respond to the Order within 30 days, staff recommends that Certificate No. 2135 be canceled and this docket be automatically closed.

Docket No. 910342-TC
August 15, 1991

ISSUE 17: Should Rossi's, Inc. be required to pay a \$250 fine proposed in Commission Order 24517, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Rossi's, Inc. should be required to pay the \$250 fine for violation of Rule 25-24.520 and Rule 25-4.043 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Rossi's, Inc. (Rossi's) has been a certificated pay telephone provider in Florida since October 25, 1985. On May 16, 1991, an annual report from Rossi's was received (Attachment Q). Colleen Richards indicated that she thought it had already been mailed in; however, an annual report was not received until May. Staff believes that a late filed report is inadequate both as compliance with Rule 25-24.520, F.A.C., and as a response to a show cause order. Rossi's has not presented an factual or legal arguments that would warrant waiver of the fine imposed in Commission Order 24517.

Staff recommends that the Commission impose the fine proposed in Order 24517 or, in the alternative, permit Rossi's to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Rossi's fails to respond to the Order within 30 days, staff recommends that Certificate No. 284 be canceled and this docket be automatically closed.

Docket No. 910345-TC
August 15, 1991

ISSUE 18: Should Snapper Creek Union 76 be required to pay a \$250 fine proposed in Commission Order 24517, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Snapper Creek Union 76 should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Snapper Creek Union 76 (Snapper Creek) has been a certificated pay telephone provider in Florida since August 29, 1986. On February 28, 1991, an annual report from Snapper Creek was received (Attachment R). Snapper Creek did not provide an explanation as to why the annual report was not filed by January 31st. Staff believes that a late filed report is inadequate both as compliance with Rule 25-24.520, F.A.C., and as a response to a show cause order. Snapper Creek has not presented any factual or legal arguments that would warrant waiver of the fine imposed in Commission Order 24517.

Staff recommends that the Commission impose the fine proposed in Order 24517 or, in the alternative, permit Snapper Creek to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Snapper Creek fails to respond to the Order within 30 days, staff recommends that Certificate No. 1134 be canceled and this docket be automatically closed.

Docket No. 910357-TC
August 15, 1991

ISSUE 19: Should Sunshine Shell be required to pay a \$250 fine proposed in Commission Order 24515, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520, F.A.C.?

RECOMMENDATION: Yes, Sunshine Shell should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Sunshine Shell has been a certificated pay telephone provider since December 24, 1987. Sunshine Shell filed a response to Commission Order 24515 on May 28, 1991 with the Division of Records and Reporting. Sunshine Shell indicated that it sent its' annual report for 1990 along with its regulatory assessment fee on December 17, 1990. Sunshine Shell enclosed a copy of the money order which was dated December 17, 1991 (Attachment S). However, on March 19, 1991, a notice was of delinquency was sent to Sunshine Shell because its' regulatory assessment fee for 1990 had not been received. A regulatory assessment fee in the amount of \$25.00 was sent on March 21, 1991. Snapper Creek did not produce a copy of the annual report which should have been included with the regulatory assessment payment. If in fact the annual report was submitted with the payment, it would have been late given the fact that the payment was not made until March. The documentation presented by Sunshine Shell is not sufficient to warrant a waiver of the fine imposed in Commission Order 24515.

Staff recommends that the Commission impose the fine proposed in Order 24515 or, in the alternative, permit Sunshine Shell to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Sunshine Shell fails to respond to the Order within 30 days, staff recommends that Certificate No. 1788 be canceled and this docket be automatically closed.

Docket No. 910369-TC
August 15, 1991

ISSUE 20: Should Thomas L. Douth be required to pay a \$250 fine proposed in Commission Order 24516, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520 F.A.C.?

RECOMMENDATION: Yes, Thomas L. Douth should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Thomas L. Douth (Mr. Douth) has been certificated to operate pay telephones in Florida since March 13, 1986. Mr Douth filed a response to Commission Order 24516 on May 31, 1991 (Attachment T). According to Mr. Douth, he did in fact file an annual report for 1990. Staff received an annual report from Mr. Douth on April 12, 1991. Staff believes that a late filed report is inadequate as compliance with Rule 25-24.520, F.A.C., Mr. Douth has not presented an factual or legal arguments that would warrant waiver of the fine imposed in Commission Order 24516.

Staff recommends that the Commission impose the fine proposed in Order 24516 or, in the alternative, permit Mr. Douth to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Mr. Douth fails to respond to the Order within 30 days, staff recommends that Certificate No. 694 be canceled and this docket be automatically closed.

Docket No. 910390-TC
August 15, 1991

ISSUE 21: Should Clifton L. Clarke be required to pay a \$250 fine proposed in Commission Order 24522, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520 F.A.C.?

RECOMMENDATION: Yes, Clifton L. Clarke should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

STAFF ANALYSIS: Clifton L. Clarke (Mr. Clarke) has been a certificated pay telephone provider since November 15, 1989. On May 22, 1991, a response to Commission Order 24522 was received from Mr. Clarke (Attachment U). Mr. Clarke indicated that he filed his annual report and did not receive any notification stating differently until the show cause proceedings were initiated. Mr. Clarke spoke with staff regarding the matter and staff sent Mr. Clarke an additional annual report form to complete. The annual report was received on May 31, 1991. Mr. Clarke did not have a copy of his annual report to present to staff, and the only report received by staff from Mr. Clark was in May. Mr. Clarke has failed to provide any legal or factual documentation that would warrant waiver of the fine imposed in Order 24522.

Staff recommends that the Commission impose the fine proposed in Order 24522 or, in the alternative, permit Mr. Clarke to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Mr. Clarke fails to respond to the Order within 30 days, staff recommends that Certificate No. 2403 be canceled and this docket be automatically closed.

Docket No. 910411-TC
August 15, 1991

ISSUE 22: Should Astro Skating Center be required to pay a \$250 fine proposed in Commission Order 24522, or in the alternative, have its certificate to provide pay telephone service canceled for failure to file its 1990 annual report as required by Rule 25-24.520 F.A.C.?

RECOMMENDATION: Yes, Astro Skating Center should be required to pay the \$250 fine for violation of Rule 25-24.520 F.A.C., or, in the alternative, face cancellation of its PATS certificate.

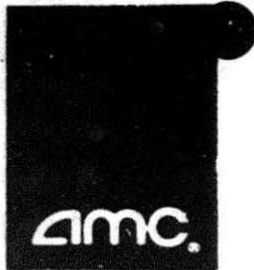
STAFF ANALYSIS: Astro Skating Center (Astro) has been a certificated pay telephone provider since February 12, 1990. Astro filed a response to Commission Order 24522 on June 3, 1991 (Attachment V). Astro indicated that it lost its' annual report. Staff sent an additional annual report for Astro on May 21, 1991, which the company filed along with its' response on June 3rd. Although the annual report was lost, this does not constitute a valid rationale, nor present a factual or legal argument to waive the fine imposed in Order 24522.

Staff recommends that the Commission impose the fine proposed in Order 24522 or, in the alternative, permit Astro to voluntarily cancel its certificate. If staff's recommendation is approved, and provided Astro fails to respond to the Order within 30 days, staff recommends that Certificate No. 2429 be canceled and this docket be automatically closed.

ISSUE 23: Should these dockets be closed?

RECOMMENDATION: No, these dockets should remain open pending payment of the fine or cancellation of the certificates.

STAFF ANALYSIS: These dockets should remain open 30 days pending payment of the fine after which the dockets should be closed, or if the fine is unpaid, the respective PATS certificates canceled and the dockets administratively closed by staff.

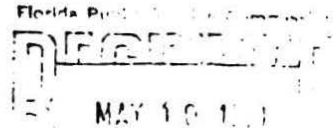


American Multi-Cinema, Inc.
Southeast Division

29399 US Hwy 19 N
Suite 320
Clearwater Florida 34621-1139
(813) 789-2911

May 8, 1991

Mr. Steve Tribble
Director of Records and Reporting
Florida Public Service Commission
191 East Gaines Street
Tallahassee, FL 32399-0850



Re: American Multi-Cinema, Inc. Docket No. 910173-7C

Dear Mr. Tribble:

American Multi-Cinema admits to and apologizes for its failure to file an "Annual Pay Telephone Service Report". Certainly this failure was not intentional. Pay phone documents and correspondence are presently being sent to our corporate headquarters in Kansas City, MO. They are being sent to nobody's attention and too often these are lost in the shuffle at corporate headquarters. When these documents are not lost, our corporate headquarters mails them to our Southeast Division headquarters in Clearwater, FL. When the documents and correspondence arrive in Clearwater I address them. Unfortunately, the request for an annual report and any subsequent late notices never arrived in my office.

To insure that this problem does not happen in the future, I have requested an address change routing all future correspondence and documents to my attention in Clearwater.

American Multi-Cinema, Inc. is an honest and punctual company. While I apologize for the error, I would like to point out that the 1989 Annual Pay Telephone Service Report was submitted on time as were all Regulatory Assessment Reports and fees.

May 8, 1991

Page 2

Mr. Steve Tribble
Director of Records and Reporting
Florida Public Service Commission

Re: American Multi-Cinema, Inc. Docket No. 910173-7C

American Multi-Cinema, Inc. asks that the \$250 fine be
waived and the company afforded a second chance.
Thank you.

Regards,



Ron Eiben
Director of Facilities
AMC Theatres
Southeast Division

RPE/pah

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER,
DIRECTOR
(904) 488-1280

Public Service Commission

May 7, 1991

AMC Theatres
ATTN: Mr. Ron Eiven
29399 US Highway 19 N
Suite 320
Clearwater, Florida 34621

RE: DOCKET NO. 910173-TC - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST AMERICAN MULTI-CINEMA, INC. FOR VIOALTION OF 1990 ANNUAL REPORT REQUIREMENT

Dear Mr. Eiven:

Enclosed please find a 1990 annual report form. Should you have any questions, you may call me at (904) 488-1280.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela Austin".

Pamela Austin
Regulatory Analyst
Bureau of Service Evaluation

CC: Division of Records and Reporting
Division of Legal Services (Adams)

ANNUAL
PAY TELEPHONE SERVICE REPORT

1. Certificate Number _____
2. Certificate Holder
Name _____
Address _____
3. Individual Responsible for contact
Name _____
4. Number of instruments in place December 31, 198_ _____
5. Currently providing service Yes ____ No ____
6. If the answer to question number 5 is no what was the last date that service was provided _____
7. If the answer to question 5 is no what are your plans for providing service in the future.

Return to: Florida Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, Florida 32399-0866

Please File**ARDAN COMMUNICATIONS**

Payphone Systems

May 8, 1991

Mr. Steve Tribble, Director
 Division of Records & Reporting
 Florida Public Service Commission
 101 East Gaines Street
 Tallahassee, Florida 32399-0850

MAY 14 1991

RE: Annual Report Late Filing
 Docket No. 910178-TC
 May 2, 1991 Order #24468

Dear Mr. Tribble:

Please accept this letter in response to the above-mentioned filing.

I am writing to request abatement of the \$250 fine for the late filing. I am a small businessman who is currently wearing the many hats of running a small business. In so doing, I attributed the filing date of another matter to the Annual Report. Upon discovery of my error, I immediately filed the report on February 19, 1991. This is the first time I have not done a timely filing and believe me, every effort has been made to insure that I don't repeat the experience!

I respectfully request a one-time repeal of the fine.

Thank you for your assistance in this matter and I look forward to hearing from you.

Sincerely,

Aron Kedan
 Aron Kedan

AK:LS

DOCUMENT NUMBER/DATE

04721 MAY 13 1991

P. 056 15/20/PURTIN

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



Pg 2 of 3
DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER,
DIRECTOR
(904) 488-1280

Public Service Commission

May 8, 1991

Arday Communicatians
ATTN: Mr. Aron Kedan
223 Cypress Trace
Tarpon Springs, Fl 34689

RE; DOCKET NO. 910006 TC - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST ARDAN COMMUNICATIONS FOR VIOLATION OF COMMISSION RULE 25-24.520

Dear Mr. Kedan: ⁹¹⁰¹⁷⁸

Per your request, enclosed is a copy of Ardan Communications 1990 Annual report which was received by the Division of Communications on February 21, 1991. Should you have any questions, please call me at (904) 488-1280.

Sincerely,


Pamela Austin
Regulatory Analyst
Bureau of Service Evaluation

CC: Division of Records and Reporting
Division of Legal Services (Adams)

890810

ANNUAL
PAY TELEPHONE SERVICE REPORT

- 1. Certificate Number 2343
- 2. Certificate Holder
 Name NANCY KEDAN
 Address 223 CYPRESS TRACE
- 3. Individual Responsible for contact
 Name ARON KEDAN
 Telephone Number (213) 942-1004
- 4. Number of instruments in place December 31, 1990 54
- 5. Currently providing service Yes No
- 6. If the answer to question number 5 is no what was the last date that service was provided? _____
- 7. If the answer to question 5 is no what are your plans for providing service in the future? _____

Return to: Florida Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, Florida 32399-0866

110188-TC

Barley's Grocers
1410 NW 119 St,
Miami,
Fla 33167.
May 20, 1991

MAY 30 1991

Re: Annual Report.

I have filed my annual report as requested by your office as of January, 1991.

Unfortunately I understood that my report cannot be found in your office or did not get to your office.

I checked with your office and was told it is not there.

As ordered by your office I am now supplying another under registered cover, with return receipt.

I understand there is a \$250.00 fee for reinstatement which I think is too much. Moreover I do not think this should be applied to me.

If it a small fee for maybe being late I can understand.

Respectfully awaiting your reply
Thanks
Albert Barber

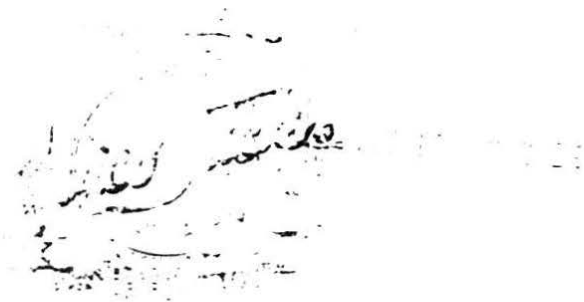
ORDER NO. 24427
 DOCKET NO. 900770-TP
 PAGE 8

(d) Complaints/Inquiries from customers:

7. Structure of organization; Individual
 Corporation
 Foreign Corporation
 Foreign Partnership
 General Partnership
 Limited Partnership
 Other, _____
8. If applicant is an individual or partnership, please give name, title and address of sole proprietor or partners. ALBERT BAILEY 1410 NW 19th Miami FLA 3316
- a) Provide proof of compliance with the foreign partnership statute (Chapter 620.169 FS), if applicable.
9. If incorporated, give name, titles and addresses of the directors, chief officers and ten largest stockholders.
 N/A
10. If incorporated, please give.
 N/A
- (a) Proof from the Florida Secretary of State that the applicant has authority to operate in Florida.
- (b) Name and address of the company's Florida registered agent.
11. Provide information as to whether any of the officers or directors have been adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, please explain.
 N/A

ORDER NO. 24427
DOCKET NO. 900770-TP
PAGE 10

18. What effect will your company's operation have on telephone service rates charged to customer's of other companies?
19. When did you start providing services as a shared tenant provider? *N/A*
20. List other states in which you provide shared tenant service? *NONE*
21. Of that list, which states have regulatory requirements for certification?
22. Have you ever been denied a certificate or been required to show cause or been penalized in another state? *NO*
If yes, give details. *N/A*
23. Have you ever received B1 or R1 STS access service from a Florida LEC? *NO*
If yes, who and when? *N/A*
24. What type of PBX serves your building? *NONE*
25. How many trunks go into your PBX for the single building?
26. Please submit the proposed tariff under which the company plans to begin operation. Use the format enclosed.



May 9, 1991

Director of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0850

RE: Docket No. 910197-TC
Certificate No. 499

To Whom It May Concern,

Our records indicate that filing the Annual Report to the Public Service Commission was issued and disbursed on January 31.

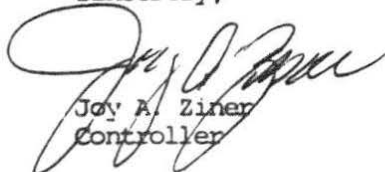
We have no documentation stating that this was not in accordance with your guidelines for filing the Annual Report.

Enclosed please find a copy of our cancelled check showing it cleared our bank on February 6.

We ask that you please waive the \$250.00 fine and the revocation of our certificate.

Thank you for prompt attention to this matter.

Sincerely,


Joy A. Ziner
Controller

Enclosure

JAZ/kw

MAY 14 1991

DOCUMENT FILED
04710 MAY 13 1991

5791



CALICO JACKS OF FLORIDA, INC.

1025 MILLER DRIVE
ALTAMONTE SPRINGS, FL 32701

SPEC HAND

63-751
631

1/31 19 91

PAY
TO THE
ORDER OF

Florida Public Service Commission

\$ 35.00

DOLL

Twentyfive and 00/100



First Union National Bank
of Florida
Longwood, Florida 32750

01 048882 02-25 2015 18

FOR



*Cleared
over bank
2/6*

A BEEPER COMPANY

2265 CORAL WAY
MIAMI, FLORIDA 33145

PH. # (305)-285-0606

FAX# (305)-285-0443

DIRECTOR OF RECORDS AND REPORTING
FLORIDA PUBLIC SERVICE COMMISSION
101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399-0850

910201-TC

MAY 20, 1991

TO WHOM IT MAY CONCERN,

THIS LETTER IS IN RESPONSE TO VIOLATION OF COMMISSION RULE 25-24.520, F.A.C., 1990 ANNUAL REPORT. WE WOULD LIKE TO INFORM YOU THAT C.M.R. GROUP, INC. OFFICIALLY CHANGED IT'S NAME TO A BEEPER COMPANY ON SEPT. 22, 1989. IT WAS OUR INTENT TO FILE THIS ANNUAL REPORT ON THE SCHEDULED DATE, BUT DUE TO THE NAME AND ADDRESS CHANGE WE WERE UNABLE TO FILE ON TIME.

FOR THE FISCAL YEAR 1990 WE HAD NO REVENUES AND WE EVENTUALLY DID FILE THE REPORT, BUT UNFORTUNATELY IT WAS LATE. IT IS OUR INTENTION TO SUBMIT THE CORRESPONDING FORMS TO OFFICIALLY REGISTER THE NAME CHANGE WITH THE FPSC.

ENCLOSED YOU WILL FIND A COPY OF THE OFFICIAL NAME CHANGE WITH THE SECRETARY OF STATE'S OFFICE. WE ARE ASKING THE COMMISSION WAIVE ANY PENALTY ON OUR PARTICULAR CASE, AND WE INTEND TO KEEP THE CERTIFICATE AN ADHERE TO ALL OF YOUR RULES AND REGULATIONS.

SINCERELY,



JULIAN G. CANTILLO, I
PRESIDENT

SEARCHED _____
SERIALIZED _____
INDEXED _____
FILED _____
MAY 21 1991
FBI - TALLAHASSEE
LIN _____
OFC _____
RCH _____
SEC 1 _____
W/S _____
OTH _____ 35

DOCUMENT NUMBER - DATE
05492 MAY 31 1991
RECORDS/REPORTING

ARTICLES OF AMENDMENT
OF
C.M.R. GROUP, INC.

1. Article I of the Articles of Incorporation of C.M.R. Group, Inc. Charter #M17194, which was filed in Tallahassee, Florida on June 21, 1985, is hereby amended to read as follows:

ARTICLE I

NAME OF CORPORATION

The name of the corporation is hereby amended to be as follows: A BEEPER COMPANY AND TELECOMMUNICATIONS, INC.

2. The foregoing amendment was adopted by the shareholders and directors of this corporation on the 21st day of September, 1989.

IN WITNESS WHEREOF, the undersigned President and Secretary of this corporation have executed these Articles of Amendment this 21st of September, 1989.



Julian G. Cantillo, I
President and Secretary

STATE OF FLORIDA:
COUNTY OF DADE:

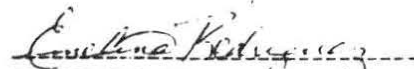
BEFORE ME, the undersigned authority, personally appeared

Julian G. Cantillo, I the President and Secretary, respectively, known to me to be the persons who executed the foregoing Articles of Amendment and they acknowledged before me that they executed those Articles of Amendment for those purposes stated therein

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21st day of September, 1989.

Notary Public, State of Florida At Large
My Commission Expires Jan 4, 1992
Bonded thru Mutual Bonding Agency

My commission expires:


NOTARY PUBLIC
State of Florida at Large

State of Florida



Department of State

I certify from the records of this office that C.M.R. GROUP, INC., changing its name to A BEEPER COMPANY AND TELECOMMUNICATIONS, INC. is a corporation organized under the laws of the State of Florida, filed on June 21, 1985.

The document number of this corporation is M17194.

I further certify that said corporation has paid all fees due this office through December 31, 1989, and its status is active.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
26th day of September, 1989.



CR2EO22 (6-88)

Jim Smith
Secretary of State

910211-TC

ORDER NO. 24503
 DOCKETS NOS. 910211-TC, 910212-TC, 910213-TC, 910214-TC,
 910215-TC, 910216-TC, 910221-TC, 910222-TC,
 910223-TC

PAGE 5

Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on May 28, 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.

*We did not know about the
 original report. We will be glad
 to fill it out. Please send us a
 form.*

Bassam El Khoury

Commissioners:

THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER,
DIRECTOR
(904) 488-1280

Public Service Commission

May 21, 1991

Community Quick Stop
ATTN: Mr. Bassam El Khoury
6704 Van Gundy Road
Jacksonville, Florida 32208

RE: DOCKET NO. 910211-TC - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST COMMUNITY QUICK STOP FOR VIOLATION OF COMMISSION RULE 25-24.520

Dear Mr. El Khoury:

Enclosed please find a 1990 annual pay telephone service report. If you have any questions, please call me at (904) 488-1280.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela Austin".

Pamela Austin
Regulatory Analyst
Bureau of Service Evaluation

CC: Division of Records and Reporting
Division of Legal Services

ANNUAL
PAY TELEPHONE SERVICE REPORT

- ①00 103106
1. Certificate Number 2 20501 0592 111902
 2. Certificate Holder
Name COMMUNITY Glick strip
Address 6704 VAN CUNDY
 3. Individual Responsible for contact
Name BASSAM ELKhouay
 4. Number of instruments in place December 31, 198 1
 5. Currently providing service Yes No
 6. If the answer to question number 5 is no what was the last date that service was provided _____
 7. If the answer to question 5 is no what are your plans for providing service in the future.

Return to: Florida Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, Florida 32399-0866

Reg. Document
04502 MAY 8 11 11:11 AM
910222-TC

MAY 11 2011

Gentlemen:

The primary reason
to secure a Texas license
was to economically benefit
from international calls to
Mexico, Guatemala and Haiti.

We have not been able
to secure a carrier who would
handle our traffic in these areas
at a profit to us.

We ask that our license
be placed on hold for a
maximum of one year, five of
six months. At the end
of that year we have not
commenced operations, we will

CONSIDER OUR OPTIONS
EXHIBITED AND WILL EITHER
PAY ALL OUR DEBS OR
RENOUNCE TO OUR LICENSE

Sincerely

[Handwritten signature]

ELL INC dba EL ELECTRIC APPOINTMENT

Luis D. Hernandez

Doclet # 91-1432-TC

MAY 19-91

TIGONIR MATJASEVIC
D.B.A FLAMINGO MOTEL
12420 TAMiami TR.
PUNTA GORDA, FL.
33955

PUBLIC SERVICE COMMISSION
FLETCHER BLDG.
101 E. GAINES ST.
TALLAHASSEE, FL. 32399-081

RECEIVED

MAY 24 1991

DIVISION OF COMMUNICATION

DEAR MR. TRIBBLE,

MAY 23 1991

REGARD TO THE ORDER ISSUED AGAINST ME (FLAMINGO MOTEL)
FOR CERTIFICATE # AND DOCKET # 910230 TC

MR. TRIBBLE I CAN ASSURE YOU THAT I DID FILL A ANNUAL REPORT FORM BEFORE THE JAN. 31 AS I BEEN DOING EVERY YEAR. I KNOW THIS AS I DONE IT YESTURDAY. I DONT HAVE A COPY OF IT BECAUSE I DID NOT THINK IT WAS NECESSAR TO OBTAIN ONE, SINCE I DIDNT HAVE PROBLEM WITH IT BEFORE. IT IS MY OPINION THAT IF THERE WAS A PROBLE WITH IT I SHOULD BE TOLD OR REMAINDED ABOUT THAT. AS YOU KNOW THIS ALL HAPPEND BEHIND MY CONTROL AND I DONT THINK I SHOULD PAY FOR IT. MR. TRIBBLE I LIKE TO TELL YOU FEW WORDS ABOUT THIS PHONE. THE PHONE NEVER MADE ANY PROFIT, YET IN PAYING THE PHONE B ABOUT 50% OUT OF MY PUCKET. THE PHONE WAS INSTALLED BY ABTEL COMMUNICATION INC. AND SINCE THE COMPANY COULD NOT MAKE THE MONEY ON THIS PRACTIC AL LOCATION THEY WERE GOING TO MOVE IT TO ANOIR ER LOCATION, SINCE I NEEDED THE PHONE FOR MY TENANNTS (GUESTS) I DECIDED TO BUY IT SINCE WE DONT HAVE PHONES IN THE POOLS. ANOTHER REASON WAS THAT THIS PHONE IS LOCATED ON U.S. 41 ABOW 20 MILES NORTH OF FT. MYERS AND 6 1/2 MILES SOUTH OF PUNTA GORDA. SO THIS PHONE IS

UTILITY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE **Jan 30, 1991**

Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(Instructions For Filing On Back of Form)

Actual Return
Estimated Return

COVERED:
by 1 TO Dec 31

TD931
FLAMINGO MOTEL
12420 TAMiami TRAIL
PUNTA GORDA, FL 33955-2401

FOR PSC USE ONLY
\$ 25.00 0603002
003001
P
0603002
004010
1

Complete Below If Address Has Changed

Utility Name	Address	City / State	Zip Code
--------------	---------	--------------	----------

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue	\$ _____
2.	Gross Intrastate Revenue	\$ _____
3.	LESS: Amounts Paid For Services To Other Telephone Companies From 10-01-90 thru 12-31-90 (Attach Listing)*	\$ (_____)
4.	TOTAL REVENUES For Regulatory Assessment Fee Calculation	\$ _____
5.	Regulatory Assessment Fee Due (1/8 of 1% of Line 4)	\$ _____
6.	LESS: APPROVED Prior-Period Overpayment	\$ (_____)
7.	NET REGULATORY ASSESSMENT FEE DUE	\$ _____
8.	Penalty for Late Payment	\$ _____
9.	Interest for Late Payment	\$ _____
10.	TOTAL AMOUNT DUE (Regardless of the amount of revenues collected, the MINIMUM AMOUNT DUE Is \$25.00 *	\$ <u>25.00</u>

FLAMINGO MOTEL
MR. & MRS. MATJASEVIC
PHONE 813 639-1677
12420 TAMiami TRAIL
PUNTA GORDA, FL 33950

285
63-1317/670

May 13, 1991

PAY TO THE ORDER OF Pay TEL. SER. P. No. Reg. Ass Fees 25.00

no DOLLARS

CHARLOTTE STATE BANK
100 W. WASHINGTON ST. P.O. BOX 1209
MEMPHIS, TN 38101

10-190 to 12-31-90 V. W. Matjasevic

ny providing local purposes of deter-

that, to the best of my knowledge period indicated.

(Title)

PH

Village Liquors, Inc.

Fine Wine & Spirits

4709 North Ocean Boulevard
Sea Ranch Shopping Center (Next to Publix)
Fort Lauderdale, Florida 33308

Telephone 782-5100

910240-TC

May 14, 1991
Docket No. 910240

Re: Certificate #2045

Mr. Steve Tribble, Director
101 E. Gaines Street
Tallahassee, Florida 32399-0866

Dear Mr. Tribble:

In response to your Certified Mail (Return Receipt Requested #78822) I wish to respond.

It was not our intent to ignore and not file your required "Annual Pay Telephone Service Report." Our records show that we paid our Assessment Fee Return on time each year and we did file the original Service Report in January 1989. That report form was addressed to me personally and filed. We have no record of having received a form for either filing in January 1990 or January 1991. I thoroughly regret not having filed as required and certainly would have filed if I had the material.

Please be assured that I will look for this form in the future and I assure you there has not been a change in anything that was listed on the reply of January 1989.

I trust the Commission will see fit to accept this poor pleading and agree that a fine not be imposed nor our certificate cancelled.

Thank you for your consideration.

Yours truly,
[Signature]
James P. Lee

MAY 20 1991

DOCUMENT NUMBER-DATE

05098 MAY 21 1991

RECORDS/REPORTING

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



Penula
DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

May 17, 1991

Fountains Lounge
2425 East Commercial Avenue
Fort Lauderdale, Florida 33308

Re: Docket No. 910240-TC

Dear Sir/Madam:

Enclosed is a copy of the PATS Information Brochure. The report in question is illustrated on page 21. The annual report should not be confused with the Regulatory Assessment Fee Return described on pages 6-8.

If I can be of further assistance in this matter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "John K. Adams III".

John K. Adams III
Staff Counsel

JKA/ttl
Enclosure

GRAYBORN ENTERPRISES, INC.
445 Douglas Ave., Suite 1105
Altamonte Springs, FL 32714

RECEIVED
MAY 22 1991
DIVISION OF COMMUNICATION

May 14, 1991

Mr. Steve Tribble, Director
Division of Records and Reporting
101 East Gaines St.
Tallahassee, FL 32399-0870

Dear Mr. Tribble:


910244-TC

I am writing to respond to your Order initiating Show Cause proceedings. I was late in filing my annual report according to Rule 25-24.250. I have a restaurant in Orlando and we have one pay telephone. I didn't realize how much was involved in owning a payphone. I thought it would be simple. I was wrong. Certainly, it is not difficult to file an annual report. That is truly my fault. The form was lost in a stack of papers, but no excuse. However, I would like to appeal to you in the hopes that you will understand that I am a small businessman, who should have not purchased the payphone, but it is too late for that now. Let me know what I must do and I will do it. If I have to pay a fine, I will, but I hope not.

The annual report was filed(although late). I assume you have received it. If not, let me know.

Thank you.

Sincerely,


Jeff Grayson

DOCUMENT NUMBER-DATE
05103 MAY 21 1991
RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Show Cause Proceedings Against)	
the following Companies for Violation of)	
Commission Rule 25-24.520, F.A.C., 1990)	
Annual Report Requirements for Pay)	
Telephone Service Companies.)	
)	
FORCE TECHNOLOGIES, INC.	)	DOCKET NO. 910239-TC
FOUNTAINS LOUNGE	)	DOCKET NO. 910240-TC
GARDEN STATE COPY COMPANY	)	DOCKET NO. 910241-TC
GEORGE NIELS	)	DOCKET NO. 910242-TC
GLADWIN, INC.	)	DOCKET NO. 910243-TC
GRAYBORN ENTERPRISES, INC. D/B/A)	
PIZZERIA UNO	)	DOCKET NO. 910244-TC
GUIDO CALVACHE D/B/A BROOKS GULF SERVICE	)	DOCKET NO. 910245-TC
HENRY L. HARRELL	)	DOCKET NO. 910248-TC
HERITAGE HEALTH CORPORATION	)	DOCKET NO. 910249-TC
HIGHLAND AUTOMOTIVE CENTERS, INC.	)	DOCKET NO. 910250-TC
	)	ORDER NO. 24502
	)	ISSUED: 5/8/91

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON
 BETTY EASLEY
 GERALD L. GUNTER
 MICHAEL McK. WILSON

ORDER INITIATING SHOW CAUSE PROCEEDINGS

DEMAND FOR RESPONSE WHY A FINE SHOULD NOT BE IMPOSED
OR IN THE ALTERNATIVE, WHY CERTIFICATE SHOULD NOT
BE CANCELLED FOR FAILURE TO FILE ANNUAL REPORTS

BY THE COMMISSION:

Rule 25-24.520, Florida Administrative Code, requires the filing of annual reports with the Commission, due January 31st. As certificated Pay Telephone Service (PATS) providers, the companies listed in the caption of this Order are subject to the jurisdiction of this Commission and have failed to file the required reports in a timely manner. The subject companies and their respective certificate numbers are as follows:

DOCUMENT NUMBER-DATE

04501 MAY-8 1991

Director of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850

June 7, 1991

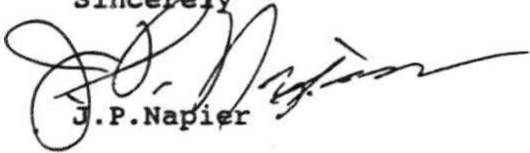
910260-70

J.P. Napier Auto Service
17832 S. Dixie Hwy.
Perrine, Florida 33157-5421

Dear Sirs:

In regards to your letter dated May 7, 1991 , I feel that you should not fine me or cancel my certificate. I did file my annual report timely. Enclosed is a copy of the report, and a copy of my canceled check front and back. Please reconsider your action, and reinstate me upon receipt of this letter.

Thank You
Sincerely


J.P. Napier

AS	_____
AF	_____
ASP	_____
CAF	_____
CP	_____
CT	_____
ENG	_____
EP	_____
ES	_____
FS	_____
GD	_____
WAS	_____
OTH	_____

DOCUMENT NUMBER-DATE

05790 JUN 10 1991

100-RECORDS/REPORTING

TO AVOID PENALTY AND INTEREST CHARGES, REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE

Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(Instructions For Filing On Back of Form)

STATUS:

Actual Return
 Estimated Return

PERIOD COVERED:

July 1 to Dec 31

TD883
 J.P.'S AUTO SERVICE
 17832 SOUTH DIXIE HIGHWAY
 MIAMI, FL 33157-5411

FOR PSC USE ONLY

\$ _____ 0603002
 03001
 \$ _____ P
 0603002
 004010
 \$ _____ I

FILE COPY

Complete Below If Address Has Changed

Utility Name _____ Address _____ City / State _____ Zip Code _____

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue	\$ <u>67.25</u>
2.	Gross Intrastate Revenue	\$ _____
3.	LESS: Amounts Paid For Services To Other Telephone Companies From 10-01-90 thru 12-31-90 (Attach Listing) *	\$ (_____)
4.	TOTAL REVENUES For Regulatory Assessment Fee Calculation	\$ <u>67.25</u>
5.	Regulatory Assessment Fee Due	\$ <u>.00</u>
6.	LESS: APPROVED Prior-Period Overpayment	\$ (_____)
7.	NET REGULATORY ASSESSMENT FEE DUE	\$ <u>25.00</u>
8.	Penalty for Late Payment	\$ _____
9.	Interest for Late Payment	\$ _____
10.	TOTAL AMOUNT DUE (Regardless of the amount of revenues collected, the MINIMUM AMOUNT DUE Is \$25.00 *)	\$ <u>25.00</u>

*Each amount paid by a pay telephone company to a telecommunications company providing local service for use of the local network shall be deducted from intrastate revenue for purposes of determining the amount of the regulatory fee assessed the pay telephone company.

I, the undersigned owner / officer of the above-named utility, have read the foregoing. Under penalties of perjury, I declare that, to the best of my knowledge and belief, the above is a true and correct statement of gross revenues derived from intrastate business for the period indicated.

Utility Official: _____
 (Signature)
J.P. NAPIER
 (Name - Please Print)

 (Date)
PRESIDENT
 (Title)
 Telephone Number (305) 235-4252

50 F.E.I. No. 25-1880324

19061
 03-00000000

PAID

FEB 01 1991

Florida Public Service Commission

Twenty five 00/100

Florida International Bank

J.P.'s AUTO SERVICE
 17832 S. DIXIE HIGHWAY, P.O. BOX 2537
 PERRINE, FL 32167

TO THE ORDER OF

FOR

AT THE PLACE OF PAYMENT

11/29/1991

\$ 25.00

DOLLARS

15-1 CONCEPTS AUTO SERVICE INC

04 048826 0131 0018 13

01 111001E 10 428840 40

017006607

BANK OFFICE
 PERRINE, FLORIDA
 32167-5475

BR

J.P. Stevens

6100000

BARNETT BANK OF TALLAHASSEE

FOR DEPOSIT ONLY

PUBLIC SERVICE COMMISSION #6100000

FLORIDA STATE TREASURY 51

CONCENTRATION ACCOUNT #1000004444

6100000

DO NOT SIGN THESE SLIPES BELOW THE LINE

6100000

BARNETT BANK

OK JACKSONVILLE

JAN 31 1991

009 # 240010250

0950-0010-7

1535351B-01-01-91

04 048826 0131 0018 13

01 111001E 10 428840 40

017006607

Florida Public Service Commission
Division of Communication
101 East Gaines Street
Tallahassee, Florida 32399-0866

Dear Sir:

This is in reference to your Cause Proceeding against La Nueva Estrella Restaurant, Inc., Docket No. 910267-TC, for omission to file Annual Pay Telephone Service Report.

We are a small restaurant with one paid telephone used mainly for neighbors and some patrons. Our policy is to paid all our taxes and license on time. We filed every information return before the due date.

Your Annual Pay Telephone Service Report was not filed because we did not received any remainder or return to file. If we have received at least a general remainder, we had filed the return before the due date.

We are suffering losses from actual recession. The paid telephone is a service mainly to our neighbors. Its revenue are not enough to pay its cost. Due to these reasons we ask you to pardon the \$250.00 fine.

We enclosed a self-made form for Annual Pay Telephone Service Report. If this does not fulfill its purpose, please send us the official Form as soon as possible.

Sincerely,



Roberto Soler, President
La Nueva Estrella Restaurant
1050 East 8th Avenue
Hialeah, Florida 33010

Note: We have enclosed a stamped and self-addressed envelope in order you send us a stamp received copy of this letter.

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER,
DIRECTOR
(904) 488-1280

Public Service Commission

May 13, 1991

La Nueva Estrella Restaurant, Inc.
ATTN: Mr. Roberto Soler
1050 East 8th Avenue
Hialeah, Florida 33010

RE: Docket No. 910267-TC - Initiation of Show Cause Proceedings Against La Nueva Estrella Restaurant, Inc. for violation of Commission Rule 25-24.520.

Dear Mr. Soler:

Enclosed is a 1990 Annual Pay Telephone Service Report. Should you have any questions, you may call me at (904) 488-1280.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela Austin".

Pamela Austin
Regulatory Analyst
Bureau of Service Evaluation

CC: Division of Records and Reporting
Division of Legal Services (Adams)

**ANNUAL
PAY TELEPHONE SERVICE REPORT**

1. Certificate Number 1550
2. Certificate Holder
 Name LA NUEVA ESTRELLA INC.
 Address 1050 EAST 8TH AVENUE, HIALEAH FL 33010
3. Individual Responsible for contact
 Name ROBERTO SOLER
4. Number of instruments in place December 31, 1990 ONE
5. Currently providing service Yes No
6. If the answer to question number 5 is no what was the last date that service was provided _____
7. If the answer to question 5 is no what are your plans for providing service in the future.

Return to: Florida Public Service Commission
 Division of Communications
 101 East Gaines Street
 Tallahassee, Florida 32399-0866

SIGNATURE

DATE

SEE ENCLOSURES

ALL-TECH TELECOM

COMMUNICATIONS SERVICES

May 20, 1991

Pamela Austin
Public Service Commission
State of Florida
101 East Gaines Street
Tallahassee, FL 32399-0866

910283-TC

In response to the letter dated May 13, 1991, I am submitting the "Annual Report" as requested and discussed by you, Michael Lake and myself.

As I told you, I misunderstood and filed a second \$25.00 fee that I have now since found to be an error. This is being addressed by Michael Lake.

The enclosed Report should take care of anything else.

Sincerely,



Mel Ketay d/b/a
ALL-TECH TELECOM
Certificate No. 2327

Encl: Annual Pay Telephone Service Report

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC _____
- WAS _____
- CTU _____

RECEIVED
MAY 24 1991

REGION OF COMMUNICATIONS

DOCUMENT NO. 05261 MAY 24 1991

NOAH'S ARK

P.O. BOX 9376

PANAMA CITY BEACH, FL. 32417

(904)-234-6062



May 15, 1991

910303-TC

TO: Steve Tribble, Director of Records and Reporting
 FROM: Dolores Buckley, Secretary of Noah's Ark
 RE: Annual Pay Telephone Report

Following our telephone conversation on April 25, 1991, concerning the service report from Noah's Ark, I spoke to Pam Austin, as you suggested.

I explained to her, as I did to you, that we were not aware of a required report and had not received any to be filed. Pam immediately sent me a form which I returned the day received.

Today we received a certified letter from your office. I immediately phoned your office, and finding you not there, I spoke to a Miss Flynn. She advised that I write to you, explaining that we did indeed send in the report.

I enclose a copy of the report sent. Please call us

ACK if this is not satisfactory. We are not a big business, but
 AFA just a mission type Christian center. Our phone is used by
 APP the senior citizen winter visitors and we make no money on it.
 CAF It is quite the opposite, to be exact.

CMU
 CTR
 EAG
 LEG
 LIM
 OPC
 RCH
 REC
 S
 I

DOCUMENT NUMBER 0489
 0489 MAY 16 1991
 CONFERENCE REPORTS

ANNUAL
PAY TELEPHONE SERVICE REPORT

1. Certificate Number 59-1452054-13-45
2. Certificate Holder
Name NOAH'S ARK
Address 12902 FRONT BEACH RD (P.O. Box 9376)
3. Individual Responsible for contact
Name LUKE PINEGAR
Telephone Number (404) 234-5716
4. Number of instruments in place December 31, 1990 1
5. Currently providing service? Yes NOTE BELOW! No
6. If the answer to question number 5 is no, what was the last date that service was provided? _____
7. If the answer to question 5 is no, what are your plans for providing service in the future? _____

OUR PHONE INSTRUMENT IS INSIDE AND KEPT MAINLY FOR OUR SENIOR AGED WINTER VISITORS - NOV. - APR.

Return to: Florida Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, Florida 32399-0866

Annual Report received April 20, 1991

PSC/CHU 39(/)

0257C(105)



**Red Coconut
R.V. Park**

ATTACHMENT 0

910336-TC Pg. 1 of 3

**CERTIFIED MAIL
RRR # P-534 217 725**

May 20, 1991

RECEIVED

MAY 29 1991

**FLORIDA PUBLIC SERVICE COMMISSION
Division of Records and Reporting
Steve Tribble/Director
101 East Gaines St.
Tallahassee, FL 32399-0850**

DIVISION OF COMMUNICATIONS

**Re: Violation of Commission Rule 25-24.520, F.A.C. 1990
Annual Report Requirements for Pay Telephone Service
Companies**

Dear Mr. Tribble:

Per our conversation of May 17, 1991, the following are reasons for not filing our 1990 Annual Report:

1. Based on my conversation with Ms. Pamela Austin, Regulatory Analyst in The Bureau of Service Evaluation, in February 1990, I assumed that as long as we paid the \$25.00 annual fee we would be keeping our certificate active even though we have not provided service since September, 1989.
2. Although I am not 100% sure, I believe we did not receive an Annual Report Request because same would have been completed and returned.

Please accept the above as our reason why a fine should not be imposed and our certificate not be cancelled.

As soon as we receive the 1990 Annual Report Form that you indicated you would mail, we will complete same and return.

Sincerely,

Wyman L. Miller, Jr.
Manager

cc: T.F. Myers
R.J. Scott

30
L 5156 91

Commissioners:

THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER,
DIRECTOR
(904) 488-1280

Public Service Commission

May 17, 1991

Red Coconut R.V. Park
ATTN: Mr. Robert S. Scott
3001 Estero Blvd.
Ft. Myers, Florida 33931

RE: Docket No. 910336-TC - Initiation of Show Cause Proceedings Against Red Coconut R.V. Park for violation of Commission Rule 25-24.520.

Dear Mr. Scott:

Enclosed is a 1990 Annual Pay Telephone Service Report. Should you have any questions, you may call me at (904) 488-1280.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela Austin".

Pamela Austin
Regulatory Analyst
Bureau of Service Evaluation

CC: Division of Records and Reporting
Division of Legal Services (Adams)

ANNUAL
PAY TELEPHONE SERVICE REPORT

RECEIVED MAY 22 1991

Pg. 3 of 3

1. Certificate Number 913
2. Certificate Holder
Name RED COCONUT RV PARK
Address 3001 ESTERO BLVD FT. MYERS BCH, FLA 33931
3. Individual Responsible for contact
Name THOMAS F. MYERS
4. Number of instruments in place December 31, 1989 NONE
5. Currently providing service Yes No
6. If the answer to question number 5 is no what was the last date that service was provided 3RD QTR 1989
7. If the answer to question 5 is no what are your plans for providing service in the future.
UNKNOWN AS OF NOW

Return to: Florida Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, Florida 32399-0866

RECEIVED

MAY 29 1991

DIVISION OF COMMUNICATIONS

RONALD JOHN SLAUGHTER
8495 N. W. 3 RD. STREET
CORAL SPRINGS, FLORIDA 33071

PUBLIC SERVICE COMMISSION
FLETCHER BLDG.
101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399-0850

RE; SHOW CAUSE
DOCKET NO. 910340-TC

HONORABLE COMMISSIONERS:

I AM IN RECEIPT OF THE ORDER RELATIVE TO SHOWING CAUSE IN THE ABOVE MATTER. I HAVE HAD A SUBSEQUENT CONVERSATION WITH MR. JOHN ADAMS, ESQ., HE HAS EXPLAINED MY OPTION AND I REALIZE THAT MY POSITION ISN'T ADEQUATE TO SLOW THESE PROCEEDINGS BY ATTEMPTING TO SHOW CAUSE WHICH HAS NO LEGAL FOUNDATION OR SUBSTANCE. THEREFORE I AM PLACING MYSELF ON THE MERCY OF THIS DISTINGUISH BODY AND CONSIDERING MY DESIRE TO REMAIN IN BUSINESS AND IN VIEW OF THE ECONOMICAL HARDSHIP THAT I AM PRESENTLY UNDERGOING IT IS MY REQUEST THAT THIS BODY FINDS ME GUILTY BUT ALLOWS ME AN EXTENSION TO PAY THE FINE OF \$ 250.00.

IF THE ABOVE REQUEST CAN NOT BE GRANTED THEN I WILL HAVE NO CHOICE BUT TO VOLUNTARILY CANCEL MY CERTIFICATE. THANKYOU FOR YOUR TIME IN THIS MATTER.

SINCERELY


RONALD J. SLAUGHTER

DOCUMENT NUMBER-DATE

05602 JUN -4 1991

PSC-RECORDS/REPORTING

ROSSI'S, INC.

TC176

RECEIVED 10 AM 10:21

FBI - TAMPA

ANNUAL
PAY TELEPHONE SERVICE REPORT

1. Certificate Number 284
2. Certificate Holder
Name HENRY ROSSI
Address 5919 S.O.B.T ORLANDO FL 32809
3. Individual Responsible for contact
Name Colleen Richards
Telephone Number 407-855-5755
4. Number of instruments in place December 31, 1990 2
5. Currently providing service Yes No
6. If the answer to question number 5 is no what was the last date that service was provided? _____
7. If the answer to question 5 is no what are your plans for providing service in the future? _____

Return to: Florida Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, Florida 32399-0866

0257C.WPF

Found this think it was already Filled
thought I'd BETTER MAIL anyway
63 thanks Colleen Richards

860866

SNAPPER CREEK UNION 76

TD538

ANNUAL
PAY TELEPHONE SERVICE REPORT

- 1. Certificate Number 870-755 TC
- 2. Certificate Holder
Name Snapper Creek Car Care, Inc.
Address 10191 SW 72 St., Miami FL 33173
- 3. Individual Responsible for contact
Name NANCY CRUZ
Telephone Number (305) 595-0359
- 4. Number of instruments in place December 31, 1990 1
- 5. Currently providing service Yes No
- 6. If the answer to question number 5 is no what was the last date that service was provided?
Early part of the year
- 7. If the answer to question 5 is no what are your plans for providing service in the future?
As soon as phone is repaired we will provide service.

Return to: Florida Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, Florida 32399-0866

State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Amendment, filed on June 12, 1990, to Articles of Incorporation for SNAPPER CREEK UNION 76, INC., changing its name to **SNAPPER CREEK CAR CARE, INC.**, a Florida corporation, as shown by the records of this office.

The document number of this corporation is M20683.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
12th day of June, 1990.



Jim Smith
Secretary of State

CR2E022 (8-89)

5-24-91
DOCKET
910357

HELLO!

RECEIVED

MAY 29 1991

THE REASON FOR THIS LETTER IS TO RESPONSE AND ATTEMPT TO PERSUADE THE COMMISSION THAT I (SUNSHINE SHELL) DID FILE MY YEARLEY SERVICE REPORT AS REQUIRE BY THE COMMISSION ON 12-17-90 THE FACT OF THE MATTER IS THAT I HAD THE REPORT ALONG WITH MY REQUIRE \$25 ANNUAL FEE.

I ATTACHED COPY OF THE MONEY ORDER THAT I SENT AT THE TIME. IT IS CLEAR TO ME THAT THE

TravelersExpress

Money Order

310 8711 641

TRAVELERS EXPRESS COMPANY INC. - DRAWER
P O BOX 5178 MINNEAPOLIS MN 55480

DATE 12-17-91

TO THE ORDER OF FL PUBLIC SERVICE COMMISSION

-NOT VALID FOR OVER THREE HUNDRED U.S. DOLLARS-

AMOUNT TRAVELERS 25 00 DOLLARS

SIGNATURE [Signature] ADDRESS 880 W SYLVANIE ST
BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE



State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



DIVISION OF ADMINISTRATION
JAMES A. WARD
DIRECTOR
(904) 488-4733

DEPOSIT TREAS. REC 17.10

Public Service Commission

TD645
Sunshine Shell
880 West Sunrise Blvd.
Ft. Lauderdale, FL 33311-7240

March 19, 1991

KB
4-1-91

DELINQUENT NOTICE

Minimum

Attention Certificate Holder:

Handwritten note: All the 1990 fees

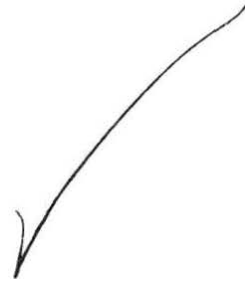
According to our records, we have not received your 1990 Regulatory Assessment Fee for the period ending December 31, 1990, which was due on January 29, 1991. If you paid the minimum annual fee of \$25 in July of 1990 and no additional fees are due, you are still required to submit a return for the period ending December 30, 1990.

This is to advise that pursuant to Florida Law, interest at 12% per annum, plus a 5% penalty for each 30-day period or fraction thereof up to a maximum of 25%, will be assessed against any delinquent amount due. If your Regulatory Assessment Fee Filing is not received in this office by April 02, 1991, your certificate may be canceled and your account referred to the Commission's Division of Legal Services for the appropriate action.

Should you have any questions, please contact Mr. Michael Lake at (904)488-4733.

DATE 3-21-91	
T-008241520 1	
STATE OF FLORIDA	
***25DOLS00CTS	
TWENTY FIVE DOLS & 00CTS	
NOT GOOD OVER \$ ***50DOLS	

MONEY ORDER



Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

May 24, 1991

Mr. Reuven Zfat
Sunshine Shell
880 West Sunrise Boulevard
Fort Lauderdale, Florida 33311-7240

Dear Mr. Zfat:

After having examined the evidence you have faxed to me, I still have far too little to recommend to the Commission that Docket No. 910357-TC be simply closed. At this juncture, I have nothing beyond proof that you paid the Regulatory Assessment Fee, and your assertion that the Annual Report was contained with said fee payment. Such evidence is not consistent with the standards usually demanded by the Commission in these cases.

If you wish to file a written response and attempt to persuade the Commission that you have met your burden of proof, you are welcome to do so. Please understand that it is your duty to file such a written response within 20 days of the date of the Order. Furthermore, I am not your attorney, and while I will attempt to assist you with procedural matters, I cannot represent you or make your arguments to the Commission.

If I can be of further assistance, please contact me.

Sincerely,

John K. Adams III
Staff Counsel

JKA/ttl
cc: Division of Communications

JUN 5 1991

May 25, 1991

To : Commissioners

910369-TC

J. Terry Deason
Betty Casley
Berford L. Gunther
Michael M.K. Wilson

I am in receipt of your certified letter sent by the Commission and am responding within 20 days as was ordered.

I did not violate Commission Rule 25-24.5 F.A.G., 1990 Annual Report Requirements for Pay Telephone Service Companies. My wife was present when I filled out the report and she personally mailed it. Please check your records again.

If you cannot find it, I will fill another one out and send it certified to make sure you receive it.

Your attention to this matter will be greatly appreciated.

Sincerely,
Thomas J. Doult

DOCUMENT NUMBER-DATE

05493 MAY 31 1991

RECORDS/REPORTS

ACK _____
AL _____
AS _____
BUT _____
CAN _____
CTR _____
EAG _____
LEG _____
MAY _____
MAY _____
MAY _____
MAY _____
MAY _____
MAY _____
MAY _____

NEW!

Mr. & Mrs. Thomas Doult
5510 S.W. 99th Ave.
Cooper City, FL 33098

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Show Cause Proceedings Against)
 the following Companies for Violation of)
 Commission Rule 25-24.520, F.A.C., 1990)
 Annual Report Requirements for Pay)
 Telephone Service Companies.)

TERRACE PLAZA MOTEL & APARTMENTS	)	DOCKET NO. 910365-TC
THE AMERICAN COMMUNICATIONS GROUP OF)	
SOUTH FLORIDA, INC.	)	DOCKET NO. 910366-TC
THE PAY TELEPHONE COMPANY, INC.	)	DOCKET NO. 910367-TC
THE SHIRTERY	)	DOCKET NO. 910368-TC
THOMAS L. DOUTT	)	DOCKET NO. 910369-TC
VICTORIAN GONZALEZ	)	DOCKET NO. 910370-TC
VINCENT NAPOLI	)	DOCKET NO. 910372-TC
WAYNE H. GRADDICK	)	DOCKET NO. 910373-TC
WESLEY J. BOWEN	)	DOCKET NO. 910374-TC
SUNNY STOP MARKET	)	DOCKET NO. 910378-TC
	)	ORDER NO. 24516
	)	ISSUED: 5/13/91

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON
 BETTY EASLEY
 GERALD L. GUNTER
 MICHAEL MCK. WILSON

ORDER INITIATING SHOW CAUSE PROCEEDINGS

DEMAND FOR RESPONSE WHY A FINE SHOULD NOT BE IMPOSED
OR IN THE ALTERNATIVE, WHY CERTIFICATE SHOULD NOT
BE CANCELLED FOR FAILURE TO FILE ANNUAL REPORTS

BY THE COMMISSION:

Rule 25-24.520, Florida Administrative Code, requires the filing of annual reports with the Commission, due January 31st. As certificated Pay Telephone Service (PATS) providers, the companies listed in the caption of this Order are subject to the jurisdiction of this Commission and have failed to file the required reports in a timely manner. The subject companies and their respective certificate numbers are as follows:

THOMAS L. DOUTT

TC592

RECEIVED

APR 12 1991

ANNUAL
PAY TELEPHONE SERVICE REPORT DIVISION OF COMMUNICATIONS

- 1. Certificate Number 694
- 2. Certificate Holder
Name THOMAS L. DOUTT
Address 5510 SW 99 AVE. COOPER CITY, FL 33328
- 3. Individual Responsible for contact
Name THOMAS L. DOUTT
Telephone Number 305 680-8097
- 4. Number of instruments in place December 31, 1990 0
- 5. Currently providing service Yes No
- 6. If the answer to question number 5 is no what was the last date that service was provided? 12-4-87
- 7. If the answer to question 5 is no what are your plans for providing service in the future? NOT SURE

Return to: Florida Public Service Commission
 Division of Communications
 101 East Gaines Street
 Tallahassee, Florida 32399-0866

C.L. "Cliff" Clarke

Pam Austin
Bureau of Service Evaluation
Florida Public Service Commission
101 E. Gains Street
Tallahassee, Florida 32399-0850
April 25, 1991

Dear Ms. Austin:

I received a communication from you stating that I was to be a case on the Public Service Commission agenda on April 30, 1991. The reason for this being that I had failed to file my annual report on the two (2) telephones which I presently own.

I would like to state, at this time, that I filed this report and have not received any notification, until now, that I had not filed the required report. However, if you would please send me another form, I would be happy to fill it out and return it promptly to you.

I believe that it would be an asset, not only to PATS providers but to the commission, if these annual reports were done in duplicate. This would give the PATS providers a copy of their report and the commission the original.

Thank you for your consideration in this matter.

Sincerely,



C. L. "CLIFF" Clarke

CLC:nc

cc: John Adams
Division of Legal Services

RECEIVED

MAY 23 1991

DIVISION OF COMMUNICATIONS

DOCUMENT NUMBER DATE

05172 MAY 22 1991

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON



DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER,
DIRECTOR
(904) 488-1280

Public Service Commission

May 22, 1991

Mr. Clifton L. Clarke
507 South Dixie Highway
Lake Worth, Florida 33460

RE: DOCKET NO. 910390-TC - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST CLIFTON L. CLARK FOR VIOLATION OF COMMISSION RULE 25-24.520

Dear Mr. Clarke:

Enclosed please find a 1990 annual pay telephone service report. If you have any questions, please call me at (904) 488-1280.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Austin".

Pamela Austin
Regulatory Analyst
Bureau of Service Evaluation

CC: Division of Records and Reporting
Division of Legal Services

MAR 5 1990

9100390

ANNUAL
PAY TELEPHONE SERVICE REPORT

- 1. Certificate Number 2403
- 2. Certificate Holder
 Name CLIFTON L Clarke
 Address 507 S. Dixie Hwy.
Lakewood, FL 33460
- 3. Individual Responsible for contact
 Name CLIFTON L. Clarke
 Telephone Number 588-8956
- 4. Number of instruments in place December 31, 1990 2
- 5. Currently providing service Yes No
- 6. If the answer to question number 5 is no what was the last date that service was provided? _____
- 7. If the answer to question 5 is no what are your plans for providing service in the future? I may or may not continue to provide service.

Return to: Florida Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, Florida 32399-0866

0411

May 30, 1991

Mr. Adams,

I am writing you this letter to try to explain the situation involving the loss of our Annual Pay Telephone Service Report. We have had our phone about 2 years and have always been prompt with our paperwork & payments. We only have one phone & do a small volume of business (\$75.00- \$100.00 a month.) * Enclosed please find a service report.

If you need anymore information please feel free to contact me at 938-5778.

Thank You,

JUN 5

Gerry Lynn Zarrilli

* FORWARDED TO CMU/Austin

Florida Public Service Commission

RECEIVED
 JUN 3 1991
RECEIVED

LEGAL DIVISION

DOCUMENT NUMBER-DATE

05545 JUN-3 1991

PSC-RECORDS/REPORTING

ANNUAL
PAY TELEPHONE SERVICE REPORT

- 1. Certificate Number 2429
- 2. Certificate Holder Name Astro Skating Center
Address 875 Cypress St Tarpon Springs FL
- 3. Individual Responsible for contact Name Gerry Lynn Zarrilli
Telephone Number 813-938-0283
- 4. Number of instruments in place December 31, 1990 1
- 5. Currently providing service? Yes No
- 6. If the answer to question number 5 is no, what was the last date that service was provided? _____
- 7. If the answer to question 5 is no, what are your plans for providing service in the future? _____

Return to: Florida Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, Florida 32399-0866

PSC/CMU 39(/)
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