

FLORIDA PUBLIC SERVICE COMMISSION
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M E M O R A N D U M

February 20, 1997

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (HAWKINS) *ASSJF*
DIVISION OF LEGAL SERVICES (COX) *WPC me*

RE: DOCKET NOS. 961358-TC and 961336-TC - REQUEST FOR
CANCELLATION OF A CERTIFICATE TO PROVIDE PAY TELEPHONE
SERVICE

AGENDA: 03/04/97 - REGULAR AGENDA - RECOMMENDATION TO REINSTATE
A PORTION OF ORDER NO. PSC-96-1523-FOF-TC - INTERESTED
PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\961358.RCM

CASE BACKGROUND

On August 20, 1996, staff received a pay telephone application for certification from Mr. Raymond Antonacci d/b/a LAD, LTD. The application was issued Docket no. 960937-TC and certificate number 4965. Further investigation revealed that Mr. Antonacci was also liaison for DAMMAM INTERNATIONAL CORPORATION, certificate no. 1931.

On November 8, 1996, staff received correspondence from Mr. Antonacci requesting withdrawal of the application. However, staff processed the request, in error, as a cancellation. The Commission approved the recommendation at the December 2, 1996 Agenda. To correct this error, at the February 4, 1997 Agenda, staff recommended that Order No. PSC-96-1523-FOF-TC be vacated and the Commission approved staff's recommendation. Staff, however, did not intend to vacate Order No. PSC-96-1523-FOF-TC, as that Order included two Dockets Nos., 961358-TC and 961336-TC. This is staff's recommendation to reinstate Order No. PSC-96-1523-FOF-TC as it relates to Docket No. 961336-TC cancelling certificate no. 4644.

DOCUMENT NUMBER-DATE

01914 FEB 20 97

FPSC-RECORDS/REPORTING

DOCKET NO. 961358-TC
DATE: FEBRUARY 20, 1997

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission reinstate Order No. PSC-96-1523-FOF-TC with regard to Docket No. 961336-TC?

RECOMMENDATION: Yes.

STAFF ANALYSIS: The application should have been withdrawn. Staff, however, erred in processing the docket as a cancellation. The certificate #4965 was not previously assigned to any other company; therefore, no harm has occurred in disconnection of any service. Accordingly, the Commission should re-instate Order No. 96-1523-FOF-TC with regard to docket no. 961336-TC as a final order. Staff has provided the Division of Records and Reporting the appropriate documentation to withdraw Mr. Antonacci's application for a pay telephone certificate. As a result, no regulatory assessment fees will be due for this certificate.

ISSUE 2: Should this docket closed?

RECOMMENDATION: Yes.

STAFF ANALYSIS: Since staff erred in the processing of this docket and no harm has occurred in disconnection of any service, staff believes this docket, 961358-TC should be closed.