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FLORIDA PUBLIC SERVICE COMMISSION
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Tallahassee, Florida 32399-0850

JUL 02 1997
10:50
Records/Reporting

MEMORANDUM

July 2, 1997

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

FROM: DIVISION OF COMMUNICATIONS (HAWKINS) *ASH*
DIVISION OF LEGAL SERVICES (PEÑA) *MCB*

RE: DOCKET NO. 970487-TC - APPLICATION FOR CERTIFICATE TO
PROVIDE PAY TELEPHONE SERVICE BY OSWALD OLLIVIER d/b/a
TELE-LINK PAYPHONE COMMUNICATIONS

AGENDA: 07/15/97 - REGULAR AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\970487.RCM

CASE BACKGROUND

Certificate number 2917 was issued to Oswald Ollivier d/b/a Tele-Link Payphone Communications February 12, 1992. The Division of Records and Reporting received returned mail from the Post Office on the above company December 7, 1995. Communications staff called the phone number listed in MCD on January 12, 1996 and the number had been changed. Staff called the new number and it had been disconnected. Directory Assistance had no listing for Mr. Ollivier or his company. For this reason, staff proceeded to cancel Mr. Ollivier's certificate for violation of Rule 25-24.520(1)(a) and (b), Florida Administrative Code, Reporting Requirements. When the docket closed, staff directed the local exchange company to discontinue service to all pay telephones operated by the company.

On April 23, 1997, Records and Reporting received a payphone application along with a \$100 application fee from Mr. Ollivier applying for another certificate. Shortly thereafter, Mr. Ollivier contacted staff inquiring about his application. He was informed that his initial certificate had been cancelled for Reporting Requirements and a recommendation would have to be submitted to the Commission for re-approval. During the conversation, Mr. Ollivier said he did not know he had to inform the Commission of his change of address and phone number. Staff did receive a letter from Mr.

DOCUMENT NUMBER-DATE

06654 JUL-25

FPSC-RECORDS/REPORTING

DOCKET NO. 970487-TC
DATE: MAY 29, 1997

Ollivier dated April 18, 1997 requesting a change of address. (See attached letter.)

DISCUSSION OF ISSUES

ISSUE 1: Should Oswald Ollivier d/b/a TELE-LINK PAYPHONE COMMUNICATIONS be issued a new certificate?

RECOMMENDATION: Yes. Staff recommends Mr. Oswald Ollivier d/b/a TELE-LINK PAYPHONE COMMUNICATIONS be issued another certificate if he pays the fine of \$100, as levied in Order number PSC-96-0611-FOF-TC, to the Florida Public Service Commission, with the monies to be forwarded to the Office of the State Treasurer for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. The fine should be paid within the 21 day protest period. Mr. Ollivier will continue to inform the Commission of any changes in his address and phone number. (HAWKINS)

STAFF ANALYSIS: Staff believes Mr. Ollivier should be issued another certificate because he has paid his Regulatory Assessment Fees since 1992 when he became certificated and to date, does not owe any Regulatory Assessment Fees. After speaking with Mr. Ollivier at length, staff believes he understands better the rules and regulations regarding certification and his obligations to the Commission as a payphone provider. Therefore, a certificate should be granted.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. (PEÑA)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, then Oswald Ollivier d/b/a Tele-Link Payphone Communications will have 21 days from the date the Order is issued to pay the \$100.00 fine. If no protest is filed within 21 days of

TELE-LINK PAYPHONE COMMUNICATION
19740 N.W. 7th AVENUE
MIAMI, FL 33169
APRIL 13, 1997

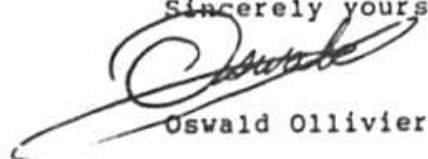
FLORIDA PUBLIC SERVICE COMMISSION
DIVISION OF COMMUNICATIONS
2540 SHUMARD OAK BLVD.
TALLAHASSEE, FLORIDA 32399-0866

Dear Mrs. Hawkins:

My company was certify February 12, 1992. I have yet to install one payphone, I kept payment on my regulatory fees for those. My address was 5507 N.W. 7th Avenue, Miami, Florida 33127. I lost my lease from that location on December 95. I move to 19740 N.W. 7th Avenue, Miami, Florida 33169. I forwarded my address to my new location my letter were never forwarded, my phone number were change, but I was not aware of rule 25-24-520.

I have enclose a copy of an envelope containing the cancellation letter that, that letter was forward weeks later.

Sincerely yours,



Oswald Ollivier