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FLORIDA PUBLIC SERVICE COMMISSION  
Capital Circle Office Center • 2540 Shumard ~~Oak~~ Boulevard  
Tallahassee, Florida 32399-0850

MEMORANDUM

January 8, 1998

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

FROM: DIVISION OF COMMUNICATIONS (BIEGALSKI) *VB*  
DIVISION OF ADMINISTRATION (LAKE) *EW*  
DIVISION OF LEGAL SERVICES (PELLEGRINI) *MB*

RE: DOCKET NO. 971352-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 4508 ISSUED TO LAWRENCE A. VANGELOFF FOR VIOLATION OF RULE 25-4.0161, FLORIDA ADMINISTRATIVE CODE, REGULATORY ASSESSMENT FEES.

AGENDA: 01/20/98 REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:PSC/CMU/WP/971352TC.RCM

CASE BACKGROUND

- Lawrence A. Vangeloff (Mr. Vangeloff) obtained Florida Public Service Commission Pay Telephone certificate number 4508 on February 9, 1996.
- On June 3, 1997, the Division of Administration mailed a certified letter to the address listed in the Master Commission Directory informing Mr. Vangeloff that he was delinquent on his regulatory assessment fees for the year 1996. The letter was returned by the United States Post Office stamped "unclaimed" (Attachment A, Page 4).
- Staff left numerous messages on Mr. Vangeloff's answering machine asking him to contact staff regarding the pending cancellation. To date, no response has been received.
- As of December 24, 1997, the delinquent regulatory assessment fees for 1996, along with statutory penalties and interest charges, have not been submitted by Mr. Vangeloff.

DOCUMENT NUMBER DATE

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FPSC-RECORDS & REPORTING

DOCKET NO. 971352-TC  
DATE: January 8, 1998

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission impose a \$500 fine or cancel Mr. Vangeloff's Pay Telephone Certificate No. 4508 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees?

**RECOMMENDATION:** Yes. The Commission should impose a \$500 fine or cancel Mr. Vangeloff's certificate if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within 5 business days after the conclusion of the 21 day protest period. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and the regulatory assessment fees, including statutory penalties and interest, are not received, certificate number 4508 should be canceled. (Biegalski)

**STAFF ANALYSIS:** Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

On December 2, 1997, staff learned that Mr. Vangeloff had not submitted the regulatory assessment fees for the year 1996, along with statutory penalties and interest charges. Therefore, he has failed to comply with Rule 25-4.0161, Florida Administrative Code.

Staff left numerous messages on Mr. Vangeloff's answering machine regarding the pending cancellation, but as of December 24, 1997, no response has been received and the past due regulatory assessment fees, along with statutory penalties and interest, have still not been submitted by Mr. Vangeloff.

Accordingly, staff recommends that the Commission assess a \$500 fine for failure to comply with Commission rules or cancel certificate number 4508 if the fine and the regulatory assessment fees, along with statutory penalties and interest, are not paid within the specified time.

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**ISSUE 2: Should this docket be closed?**

**RECOMMENDATION:** If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the Order, the Order will become final. Upon payment of the fines and fees, or cancellation of the certificate, this docket should be closed. (Pellegrini)

**STAFF ANALYSIS:** If the Commission adopts staff's recommendation in Issue 1, then Mr. Vangeloff will have 21 days from the issuance date of the Order to file a timely protest to the Commission's Proposed Agency Action. If no protest is filed, the docket should be closed upon payment of the fines and fees, or upon cancellation of the certificate.

State of Florida

**Public Service Commission**

2540 Stansard Oak Boulevard  
Tallahassee, Florida 32399-0850

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**CERTIFIED**

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1st Notice ~~\_\_\_\_\_~~  
2nd Notice ~~\_\_\_\_\_~~  
Return ~~\_\_\_\_\_~~

**MAIL**

TF571  
Lawrence A. Vangeloff  
5700 Venetian Blvd., N.E.  
St. Petersburg, FL 33703-1842

OK

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1-800-368-7828

