

State of Florida

ORIGINAL



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

RECORDS AND REPORTING

53 JUL 28 AM 10:04

RECEIVED-FPSC

DATE: AUGUST 06, 1998

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

FROM: DIVISION OF COMMUNICATIONS (MCCOY) *SM*
DIVISION OF LEGAL SERVICES (K. PENA) *KMP mcb*

RE: DOCKET NO. 980748-TC - APPLICATION FOR CERTIFICATE TO PROVIDE PAY TELEPHONE SERVICE BY CHRISTOPHER BERNARD PUGH.

AGENDA: 08/18/98 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\980748.RCM

CASE BACKGROUND

On June 15, 1998, Christopher Bernard Pugh (Mr. Pugh), filed an application to provide pay telephone services (PATS) in Florida. Mr. Pugh has not previously held a PATS Certificate.

Mr. Pugh stated in his PATS application that he has a felony history. Staff tried contacting Mr. Pugh several times via the telephone number listed in the PATS application and mailed two letters requesting further information. The second letter was sent Certified mail. Mr. Pugh has not responded to staff's repeated requests for further information regarding the felony charge.

In light of these facts, staff believes the following recommendations are appropriate.

DOCUMENT NUMBER-DATE

07920 JUL 28 88

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DISCUSSION OF ISSUES

ISSUE 1: Should the Commission deny Christopher Bernard Pugh's application for a certificate to provide pay telephone service in Florida?

RECOMMENDATION: Yes. (McCoy)

STAFF ANALYSIS: Rule 25-24.511, Florida Administrative Code, states in part:

(4) A certificate will be granted if the Commission determines that grant of the application is in the public interest. One certificate per applicant will be granted unless the applicant shows that granting of additional certificates is in the public interest. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled unless the applicant shows that granting of the new certificate is in the public interest. [emphasis added]

Due to Mr. Pugh's previous felony history, and failure to respond to staff's requests for information, staff believes that approving Mr. Pugh's application is not in the public interest.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. 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 and this docket may be closed.
(K. Peña)

STAFF ANALYSIS: 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 and this docket may be closed.