

ORIGINAL

May 21, 1999

DEPOSIT DATE  
D140 MAY 24 1999

Richard Sturgeon  
4203 Bay Beach Ln 65  
Ft Myers Beach FL 33931  
U-Can-TEL

Public Serv. Comm.  
2540 Shumard Oak Blvd  
Tallahassee, FL 32399-0850

Dear Sir,

This is in response to the late payment of  
dues for 99 \$100.- settlement of U-Can-TEL.  
I have had many disappointments in the pay.  
Telephone business and I may drop it next  
year if things do not improve.

Sincerely,

Richard Sturgeon

I sent \$50 ch # 646 in April. I do not know where it  
was credited.

Fine

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Page 20 IS 20r

- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CML I
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
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- OPC \_\_\_\_\_
- RRR I
- SEC \_\_\_\_\_
- WAW \_\_\_\_\_
- OTH \_\_\_\_\_

RICHARD STURGEON  
4203 BAY BEACH LN., BLDG. 3 G-5  
FT. MYERS BEACH, FL 33931

652

May 21 1999

Pay to the Order of Public Serv Comm. \$ 100.00  
One hundred and 00/100 Dollars

NationsBank

Member FDIC  
Florida U-CAN-TEL

For remittance for late payment

Richard Sturgeon

DOCUMENT NUMBER-DATE

06563 MAY 25 99

FPSC-RECORDS/REPORTING

DEPOSIT DATE  
D140 MAY 24 1999

May 21, 1999

Richard Sturgeon  
4203 Bay Beach Ln 65  
Hwy 101 Beach Hl 33931  
U-Can-tee

Public Serv. Comm.  
2540 Shumard Oak Blvd  
Jacksonville, FL 32299-0850

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Time

RAK  
Poco 1530r

RECEIVED  
MAY 24 9 07 AM '99  
ADMINISTRATION  
MAIL ROOM

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of Pay  
Telephone Certificate No. 5387  
issued to Richard L. Sturgeon  
for violation of Rule 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees; Telecommunications  
Companies.

DOCKET NO. 981440-TC  
ORDER NO. PSC-99-0811-AS-TC  
ISSUED: April 21, 1999

The following Commissioners participated in the disposition of  
this matter:

JOE GARCIA, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JULIA L. JOHNSON  
E. LEON JACOBS, JR.

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Richard L. Sturgeon (Mr. Sturgeon) currently holds Certificate of Public Convenience and Necessity No. 5387, issued by the Commission on July 18, 1997, authorizing the provision of pay phone service. The Division of Administration advised our staff by memorandum that Mr. Sturgeon had not paid the 1997 regulatory assessment fees (RAFs), nor statutory penalties and interest charges for late RAFs payments for the year 1997. RAFs are required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.

Under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing pay phone service and an affidavit in which the applicants attest that the rules have been received and understood by the applicant. This affidavit must be attached to the application in order for the application to be processed. The RAF form was mailed to Mr. Sturgeon for the period

ORDER NO. PSC-99-0811-AS-TC  
DOCKET NO. 981440-TC  
PAGE 2

of January 1, 1997, through December 31, 1997. Our correspondence regarding the RAFs was signed for and delivered on December 16, 1997.

After the docket was opened, but prior to the recommendation being filed, Mr. Richard Sturgeon, Owner, called our staff and advised that the company wanted to keep his certificate, would pay the past due amount, and would make a settlement offer. The Division of Administration's records show that the company paid the past due amount. Mr. Sturgeon agreed to pay future regulatory assessment fees in a timely manner and contribute \$100 to the State General Revenue Fund.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. Mr. Sturgeon must comply with these requirements within five business days from the date this Order becomes final. The contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the \$100 contribution, this docket shall be closed.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. The contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the \$100 contribution, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Richard L. Sturgeon's settlement proposal summarized in the body of this Order is hereby approved. It is further

ORDERED that this docket shall remain open pending receipt of the \$100 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further It is further

ORDERED that upon receipt of the \$100 contribution, this docket shall be closed.

ORDER NO. PSC-99-0811-AS-TC  
DOCKET NO. 981440-TC  
PAGE 3

By ORDER of the Florida Public Service Commission this 21st  
day of April, 1999.

/s/ Blanca S. Bayó  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

This is a facsimile copy. A signed  
copy of the order may be obtained by  
calling 1-850-413-6770.

( S E A L )

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater 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 after the issuance 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 9.90C(a), Florida Rules of Appellate Procedure.