

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation  
of Pay Telephone Certificate No.  
5848 by Nicholas Culianos and  
application for certificate to  
provide pay telephone service by  
Easycoin Payphones of Florida  
L.L.C.

DOCKET NO. 990808-TC  
ORDER NO. PSC-99-1485-PAA-TC  
ISSUED: August 3, 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.

NOTICE OF PROPOSED AGENCY ACTION  
ORDER CANCELLING PAY TELEPHONE CERTIFICATE NO. 5848  
AND GRANTING CERTIFICATE NO. 7122 TO PROVIDE  
PAY TELEPHONE SERVICE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service  
Commission that the action discussed herein is preliminary in  
nature and will become final unless a person whose interests are  
substantially affected files a petition for a formal proceeding,  
pursuant to Rule 25-22.029, Florida Administrative Code.

Nicholas Culianos, holder of Pay Telephone (PATS) Certificate  
of Public Convenience and Necessity No. 5848, has requested that  
Certificate No. 5848 be cancelled and applied for a certificate to  
provide PATS service pursuant to Section 364.3375, Florida  
Statutes, for his company, Easycoin Payphones of Florida L.L.C.

Nicholas Culianos has complied with the provision of Rule 25-  
24.514(2), Florida Administrative Code, by providing adequate  
notice in writing of his request for cancellation of his Pay  
Telephone certificate and by submitting his regulatory assessment  
fees for 1998. Accordingly, we find it appropriate to cancel PATS  
Certificate No. 5848.

DOCUMENT NUMBER-DATE

09126 AUG-38

FPSC-RECORDS/REPORTING

ORDER NO. PSC-99-1485-PAA-TC  
DOCKET NO. 990808-TC  
PAGE 2

Nicholas Culianos shall return its certificate to this Commission. In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual regulatory assessment fee of \$50 if the certificate was active during any portion of the calendar year. A Regulatory Assessment Fee Return notice for the year 1999 will be mailed to Nicholas Culianos; however, neither the cancellation of its certificate nor the failure to receive its Regulatory Assessment Fee Return notice for the year 1999 shall relieve Nicholas Culianos from its obligation to pay due and owing regulatory assessment fees.

Upon consideration of Easycoin Payphones of Florida L.L.C.'s application, it appears to be in the public interest to grant PATS Certificate No. 7122 to Easycoin Payphones of Florida L.L.C.

If this Order becomes final and effective, it shall serve as Easycoin Payphones of Florida L.L.C.'s certificate. It should, therefore, be retained as proof of certification. The effective date of the cancellation of Certificate No. 5848 will be the same effective date as the new Certificate No. 7122 to avoid a break in service.

Non-local exchange company Pay Telephone service providers are subject to Chapter 25-24, Florida Administrative Code, Part XI, Rules Governing Pay Telephone Service Provided by Other Than Local Exchange Telephone Companies. They are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request by Nicholas Culianos to cancel Pay Telephone Certificate No. 5848 is hereby approved. It is further

ORDERED that Nicholas Culianos shall return his certificate and remit all due and owing regulatory assessment fees for the year 1999. It is further

ORDERED that we hereby grant to Easycoin Payphones of Florida L.L.C. Certificate No. 7122 to provide Pay Telephone service, subject to the terms and conditions specified in the body of this Order. It is further

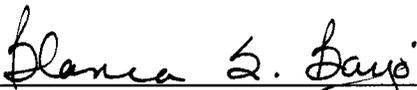
ORDER NO. PSC-99-1485-PAA-TC  
DOCKET NO. 990808-TC  
PAGE 3

ORDERED that this Order shall serve as Easycoin Payphones of Florida L.L.C.'s certificate and this Order should be retained as proof of certification. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 3rd day of August, 1999.

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

KMP

ORDER NO. PSC-99-1485-PAA-TC  
DOCKET NO. 990808-TC  
PAGE 4

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 that is available under Section 120.57, 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 will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 24, 1999.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

Requisition for Photocopying and Mailing

Date 8/3/79

Number of Originals 4

Copies Per Original 19

Requested By K. Webb

Item Presented

Agenda For (Date) \_\_\_\_\_ Order No. 1485-PAA In Docket No. 790508

Notice of \_\_\_\_\_ For (Date) \_\_\_\_\_ In Docket No. \_\_\_\_\_

Other \_\_\_\_\_

Special Handling Instructions

Distribution/Mailing

Number	Distributed/Mailed To
<u>19</u>	<u>Commission Offices</u>
<u>1000</u>	<u>Docket Mailing List - Mailed</u>
<u>0</u>	<u>Docket Mailing List - Faxed</u>

Number	Distribution/Mailed To
_____	_____
_____	_____
_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 31 Verified By Michael

Date and Time Completed 8/5 Job Checked For Correctness and Quality (Initial) U

Mail Room Verification

Date Mailed / Verified By /

M E M O R A N D U M

August 2, 1999

RECEIVED-PPSC

AUG -3 AM 9:39

RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (PEÑA) *kmp CB*  
RE: DOCKET NO. 990808-TC - REQUEST FOR CANCELLATION OF PAY  
TELEPHONE CERTIFICATE NO. 5848 BY NICHOLAS CULIANOS AND  
APPLICATION FOR CERTIFICATE TO PROVIDE PAY TELEPHONE  
SERVICE BY EASYCOIN PAYPHONES OF FLORIDA L.L.C.

*.1485-PAA*

---

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER  
CANCELLING PAY TELEPHONE CERTIFICATE NO. 5848 AND GRANTING  
CERTIFICATE NO. 7122 TO PROVIDE PAY TELEPHONE SERVICE, to be issued  
in the above-referenced docket. (Number of pages in order - 4)

KMP/anc  
Attachment  
cc: Division of Communications  
I: 990808.kmp

*See 1, 2*

*1 Certified.*

---