

1 **APPEARANCES:**

2 **CATHERINE BEDELL**, Florida Public Service
3 Commission, Division of Legal Services, 2540 Shumard
4 Oak Boulevard, Tallahassee, Florida 32399-0870,
5 appearing on behalf of the **Commission Staff**.

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P R O C E E D I N G S

(Hearing convened at 1:30 p.m.)

COMMISSIONER JACOBS: Call the prehearing to order. Take appearances.

MS. BEDELL: Catherine Bedell on behalf of Commission Staff.

COMMISSIONER JACOBS: All right. Let the record show that the petitioner in this docket did not appear. Are there any preliminary matters or how should we proceed?

MS. BEDELL: I need to read the Notice.

COMMISSIONER JACOBS: Okay.

MS. BEDELL: Pursuant to Notice dated July 27, 1999, this time and place were set for a prehearing in Docket No. 971279-TC, Cancellation of Pay Telephone Certificate No. 3905 issued to Mark D. Ridley for violation of Rule 25-4.0161, Florida Administrative Code.

COMMISSIONER JACOBS: Okay. As I recall, this is a complaint by the petitioner.

MS. BEDELL: This was in response to a notice that we were going to cancel his certificate for failure to pay regulatory assessments.

COMMISSIONER JACOBS: Okay. I see. Now, the failure to appear today, what does that

1 constitute?

2 **MS. BEDELL:** Well, Staff would recommend
3 that we cancel the hearing because we can't go
4 forward. Mr. Ridley hasn't filed any testimony or
5 made any other appearances that were required prior to
6 today so Staff would recommend cancelling the hearing
7 that is scheduled for September 3rd, and preparing a
8 recommendation to the full Commission to dismiss the
9 proceeding.

10 **COMMISSIONER JACOBS:** And I assume the time
11 for all of the filing of testimony and such all have
12 passed?

13 **MS. BEDELL:** Yes, sir.

14 **COMMISSIONER JACOBS:** Okay. Well, I will
15 make that ruling then that the hearing in this case be
16 canceled due to the failure of the petitioner to
17 appear for the prehearing conference and/or to file
18 preliminary matters in this docket and we'll await
19 Staff's recommendation.

20 **MS. BEDELL:** And we will prepare a
21 recommendation to the Chairman for your signature to
22 cancel the hearing.

23 **COMMISSIONER JACOBS:** Very well. Any other
24 matters to come before us today?

25 **MS. BEDELL:** No, sir.

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COMMISSIONER JACOBS: Prehearing adjourned.

(Thereupon, the hearing concluded at

1:35 p.m.)

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