

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

RECORDS AND REPORTING
SEP 21 AM 10:58
RECEIVED PSC

DATE: SEPTEMBER 23, 1999

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

FROM: DIVISION OF TELECOMMUNICATIONS (ISLER) *PK RD*
DIVISION OF LEGAL SERVICES (K. PEÑA; C. BEDELL) *WMP CB*

RE: DOCKET NO. 991048-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 4204 ISSUED TO AMERITEL PAY PHONES, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

AGENDA: 10/05/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\991048.RCM

CASE BACKGROUND

- 07/18/95 - This company obtained PATS Certificate No. 4204.
- 12/10/98 - The 1998 Regulatory Assessment Fee (RAF) Notice was mailed. Payment was due 02/01/99.
- 08/05/99 - As of this date, the company had not paid the 1998 RAF, plus statutory penalty and interest charges.
- 08/19/99 - Susan Davis Morley, attorney, called staff and advised that the company would pay the past due amount in full and request voluntary cancellation of its certificate.

DOCUMENT NUMBER-DATE

11310 SEP 21 99

RECORDS/REPORTING

- **09/13/99** - The company paid the past due amount in full, including statutory penalty and interest charges, and requested voluntary cancellation of its pay telephone certificate.

Therefore, staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant AmeriTel Pay Phones, Inc. a voluntary cancellation of its Pay Telephone Certificate No. 4204?

RECOMMENDATION: Yes. The Commission should grant the company a voluntary cancellation of its pay telephone certificate with an effective date of September 13, 1999. (Isler)

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.

After this docket was opened, the company's attorney, Ms. Susan Davis Morley, contacted staff and advised that the company would pay the outstanding balance in full, including past due statutory penalty and interest charges, and request voluntary cancellation. This was done on September 13, 1999.

Accordingly, staff believes the company's request for a voluntary cancellation of its pay telephone certificate should be granted with an effective date of September 13, 1999.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (K. Peña; C. Bedell)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, no other issues remain unresolved and this docket should be closed.