

State of Florida



**Public Service Commission**

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

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RECORDS AND REPORTING

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**DATE:** FEBRUARY 17, 2000

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

**FROM:** DIVISION OF TELECOMMUNICATIONS (ISLER) *DM* *JD*  
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *KMP* *JK*

**RE:** DOCKET NO. 991167-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 5233 ISSUED TO DOUGLAS ARTHUR LAWRENCE D/B/A D.A. LAWRENCE COMMUNICATIONS COMPANY FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

**AGENDA:** 02/29/00 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMU\WP\991167.RCM

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**CASE BACKGROUND**

- **10/08/97** - This company obtained PATS Certificate No. 5233. The company reported no revenues on its 1997 regulatory assessment fee return for the period ended December 31, 1997.
- **12/10/98** - The 1998 Regulatory Assessment Fee (RAF) Notice was mailed. Payment was due 02/01/99.
- **03/17/99** - The Division of Administration mailed a delinquent letter for the 1998 RAF.
- **11/09/99** - Order No. PSC-99-2201-PAA-TC was issued, which imposed a \$500 fine or canceled the company's certificate.

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FPSC-RECORDS/REPORTING

DOCKET NO. 991167-10  
DATE: FEBRUARY 17, 2000

- **11/15/99** - The Commission received a letter from Mr. Lawrence, which advised he had written to the Commission a couple of years ago and requested voluntary cancellation of his certificate.
- **12/17/99** - The Commission received another letter from Mr. Lawrence, along with a copy of his letter dated December 28, 1997.

Therefore, staff believes the following recommendations are appropriate.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission grant Douglas Arthur Lawrence d/b/a D.A. Lawrence Communications Company a voluntary cancellation of its Pay Telephone Certificate No. 5233?

**RECOMMENDATION:** Yes. The Commission should grant the company a voluntary cancellation of its pay telephone certificate with an effective date of December 28, 1997. (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.

On November 9, 1999, Order No. PSC-99-2201-PAA-TC was issued, which imposed a \$500 fine or canceled the company's certificate. The company had until November 30 to protest the Order and until December 7 to pay the fees and fine. On November 15, Mr. Lawrence, owner, wrote the Commission and advised that he had written a letter two years ago and requested voluntary cancellation of his certificate. On December 17, the company wrote another letter and enclosed a copy of a letter dated December 28, 1997 requesting cancellation of his certificate.

Accordingly, staff believes the company's request for a voluntary cancellation of its pay telephone certificate should be granted with an effective date of December 28, 1997.

DOCKET NO. 991167-1C  
DATE: FEBRUARY 17, 2000

**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; B. Keating)

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