

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Original

In re: Applications for pay
telephone certificates.

Larry E. Sherman d/b/a Brevard
Payphone Systems
Angel L. Caro d/b/a Sely's
Communications Co.
3290 Sunrise Investments, Inc.
Kevin Michael Kellett d/b/a JKL
Communications
James W. & Jolene R. Smith

DOCKET NO. 000709-TC

DOCKET NO. 000748-TC

DOCKET NO. 000769-TC

DOCKET NO. 000770-TC

DOCKET NO. 000796-TC

ORDER NO. PSC-00-1452-PAA-TC

ISSUED: August 10, 2000

The following Commissioners participated in the disposition of
this matter:

J. TERRY DEASON, Chairman
E. LEON JACOBS, JR.
LILA A. JABER

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATES 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.

The entities listed below have applied for certificates to
provide Pay Telephone (PATS) service pursuant to Section 364.3375,
Florida Statutes. Upon consideration of their applications, it

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appears to be in the public interest to grant the following PATS certificates to the entities listed below.

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>
Larry E. Sherman d/b/a Brevard Payphone Systems	7538
Angel L. Caro d/b/a Sely's Communications Co.	7539
3290 Sunrise Investments, Inc.	7540
Kevin Michael Kellett d/b/a JKL Communications	7541
James W. & Jolene R. Smith	7542

If this Order becomes final and effective, it shall serve as each entity's certificate. It should, therefore, be retained by these entities as proof of their certification.

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.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed to each of the entities listed above. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice shall relieve any of these entities from its obligation to pay RAFs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide Pay Telephone service, subject to the terms and conditions specified in the body of this Order. It is further

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ORDERED that this Order shall serve as these entities' certificates and they should retain this Order as proof of certification. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. 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, these Dockets shall be closed.

By ORDER of the Florida Public Service Commission, this 10th day of August, 2000.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

PW

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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 31, 2000.

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.