

ORIGINAL

10-4-00

To Whom it may concern:

000916-TC

Southern Telephone Co. is  
out of the telephone Business.

I thank you,  
Dore

954-735-7896

Vince DiNitto  
3040 NW 22nd Ave  
Coral Gables, FL 33311

APP	_____
CAF	_____
CMP	<u>later</u>
COM	_____
CTR	_____
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LEG	<u>Done</u>
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Done  
10/11/00

DOCUMENT NUMBER-DATE

12836 OCT-98

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of Pay  
Telephone Certificate No. 2814  
issued to Southern Telephone  
Company for violation of Rules  
25-4.0161, F.A.C., Regulatory  
Assessment Fees;  
Telecommunications Companies,  
and 25-24.520, F.A.C., Reporting  
Requirements.

DOCKET NO. 000916-TC  
ORDER NO. PSC-00-1711-PAA-TC  
ISSUED: September 25, 2000

The following Commissioners participated in the disposition of  
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER IMPOSING FINE, REQUIRING PAYMENT OF REGULATORY ASSESSMENT  
FEES AND REQUIRING INFORMATION IN ACCORDANCE WITH RULE 25-24.520,  
FLORIDA ADMINISTRATIVE CODE, OR CANCELING  
PAY TELEPHONE CERTIFICATE

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.

Southern Telephone Company (Southern) currently holds  
Certificate of Public Convenience and Necessity No. 2814, issued by  
the Commission on September 25, 1991, authorizing the provision of  
Pay Telephone service (PATS). The Division of Administration  
advised our staff by memorandum that Southern had not paid the  
Regulatory Assessment Fees (RAFs) required by Section 364.336,  
Florida Statutes, and Rule 25-4.0161, Florida Administrative Code,

DOCUMENT NUMBER-DATE

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PESC-RECORDS/REPORTING

for the year 1999. Also, accrued statutory penalties and interest charges for late RAFs payments for the years 1991, 1992, 1995, 1999 had not been paid.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161 (2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing PATS service. All applicants must attest that these rules have been received and understood by the applicant and an affidavit must be attached to the application in order for the application to be processed.

Pursuant to Section 350.113(4), Florida Statutes, the RAFs forms, for the period of January 1, through December 31, are mailed to the entities at least 45 days prior to the date that payment of the fee is due. Southern has been given adequate opportunity to pay. The Commission's correspondence regarding the RAFs was returned by the United States Postal Service. As of the date of this vote, Southern has not paid the required fees.

The return of these materials indicates that Southern may have violated Rule 25-24.520, Florida Administrative Code, which requires the reporting to the Commission of an address change and/or a change in the name, title, or telephone number of the individual responsible for Commission contacts, within ten (10) days of its effectiveness. It has been well over 10 days and Southern has not provided the information required by Rule 25-24.520, Florida Administrative Code, nor has it requested cancellation of its certificate in compliance with Rule 25-24.514, Florida Administrative Code.

For the reasons described above, pursuant to Rule 25-24.514(1)(b) and (c), Florida Administrative Code, we find it appropriate to cancel Southern's certificate for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, unless Southern pays a \$500 fine and remits all past due RAFs, along with statutory penalties and interest charges, to the Florida Public Service Commission. We also find it appropriate to cancel Southern's certificate for failure to comply with Rule 25-24.520, Florida Administrative Code, unless Southern pays a \$500 fine and provides the information required by Rule 25-24.520, Florida Administrative Code, to the Florida Public Service