

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reports (RAR) Completes

Docket No. 000353-TC Date Docketed: 03/24/2000 Title: Application for certificate to provide pay telephone service by Chong O. Kim, Inc. d/b/a Quick Trip Food Mart and request for waiver of Rule 25-24.511(5), F.A.C.
 Company: Chong O. Kim, Inc. d/b/a Quick Trip Food Mart

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: _____
 ("()") indicates OPR) ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR (RGO) SER WAW
 _____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule

Program/Module BI(a)
Staff Assignments
OPR Staff B Hawkins

Staff Counsel K Pena, B Keating
OCRs ()

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**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level**

2

	<u>Due Dates</u>	
	Previous	Current
1. Staff Recommendation	06/29/2000	07/20/2000
2. Agenda	07/11/2000	08/01/2000
3. PAA Order - Close if No Protest	07/31/2000	08/21/2000
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Recommended assignments for hearing and/or deciding this case:
 Full Commission Commission Panel _____
 Hearing Examiner _____ Staff _____
 Date filed with RAR: 06/23/2000
 Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	CL	JC	JB	NC		
X							

- Prehearing Officer

Commissioners					ADM
DS	CL	JC	JB	NC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____
 Date: Pending 6/12/00

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.



DIVISION OF
TELECOMMUNICATIONS
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

February 14, 2000

Mr. Bill Stewart
8031 Ebersol Road
Jacksonville, FL 32216

Dear Mr. Stewart:

This is a follow up to our telephone conversations concerning the cancellation of Mr. Chong O. Kim's Pay Telephone Certificate No. 5966 in the name of Chong O. Kim, Inc. d/b/a Quick Trip Food Mart.

Mr. Kim needs to pay the past due amounts for the regulatory assessment fee. If his check is postmarked in February, he owes \$69.00 for the 1998 fee, penalty, and interest, \$50.00 for the 2000 fee, for a total due of \$119. If the check is postmarked in March, the 1998 amount increases to \$69.50, for a total due of \$119.50. *Paid*

In addition, to the past due regulatory assessment fee, the company would need to pay the \$500 fine that was assessed in Docket No. 991310-TC which canceled the certificate.

As we discussed, Rule 25-24.511(5), Florida Administrative Code, states:

Only one certificate per applicant will be granted. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled.

Enclosed is a pay telephone application, along with a copy of the above rule. When the application is returned with the \$100 nonrefundable application fee, a cover letter would need to be sent that is requesting a waiver of the rule. Also enclosed is a copy of Chapter 120.542(2), Florida Statutes, which states:

(2) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal

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Internet E-mail: contact@psc.state.fl.us

Mr. Bill Stewart
Page 2
February 14, 2000

application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.

To my knowledge, the Commission has not received a request for waiver of Rule 25-24.511, F.A.C., in the past. Therefore, if the Commission denied Mr. Kim's application and rule waiver, the \$100 application fee would not be refunded.

I hope this has been responsive to your inquiry. If you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, and by internet e-mail at pisler@psc.state.fl.us.

Sincerely,



Paula J. Isler, Research Assistant
Bureau of Service Evaluation & Compliance

Enclosures

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.
LILA A. JABER



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

March 28, 2000

Chong O. Kim
Quick Trip Food Mart
576 South Edgewood Avenue
Jacksonville, Florida 32205

Re: Docket No. 000353-TC

Dear Mr. Kim:

This will acknowledge receipt of an application for certificate to provide pay telephone service by Chong O. Kim, Inc. d/b/a Quick Trip Food Mart, which was filed in this office on March 24, 2000, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Please make notes as well that Commission Rule 25-22.005(7), F.A.C., requires certificated companies to notify the Commission of any changes in name, telephone, address, or contact person. Should your application be granted by the Commission, you will be expected to comply with this rule by advising us of any changes as they occur.

Division of Records and Reporting
Florida Public Service Commission

ORIGINAL

M E M O R A N D U M

APRIL 5, 2000

RECEIVED-FPSC

00 APR -5 AM 9:04

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (KEATING)

RE: DOCKET NO. 000353-TC - APPLICATION FOR A PAY TELEPHONE
CERTIFICATE BY CHONG O. KIM d/b/a QUICK TRIP FOOD MART

Attached is an FAW Notice to be issued in the above referenced docket.

BK/jmb
Attachment
cc: Division of Communications

I:\000353fw.bk

SEARCHED
SERIALIZED
INDEXED
FILED
APR 5 2000
FBI - MEMPHIS
1

DOCUMENT NUMBER-DATE
04145 APR-58
FPSC-RECORDS/REPORTING

M E M O R A N D U M

August 11, 2000

RECEIVED-FPSC

03 AUG 16 AM 10:24

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (PEÑA)
RE: DOCKET NO. 000353-TC - APPLICATION FOR CERTIFICATE TO
PROVIDE PAY TELEPHONE SERVICE BY CHONG O. KIM, INC. D/B/A
QUICK TRIP FOOD MART AND REQUEST FOR WAIVER OF RULE 25-
24.511(5), F.A.C.

1479-PAA

Attached is an NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING
REQUEST FOR WAIVER OF RULE 25-24.511(5), FLORIDA ADMINISTRATIVE
CODE AND GRANTING CERTIFICATE TO PROVIDE PAY TELEPHONE SERVICE, to
be issued in the above-referenced docket. (Number of pages in
order - 5)

KMP/anc

Attachment

cc: Division of Competitive Services (Isler)

I: 000353.kmp

See 2

1216

M E M O R A N D U M

SEPTEMBER 11, 2000

✓ RECEIVED-FPSC

00 SEP 11 AM 10:44

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (KEATING) *BK*
RE: DOCKET NO. 000353-TC - APPLICATION FOR A PAY TELEPHONE
CERTIFICATE BY CHONG O. KIM d/b/a QUICK TRIP FOOD MART

1613 - Co

Attached is a CONSUMMATING ORDER to be issued in the above
referenced docket. (Number of pages in Order - 2)

BK/anc
Attachment
cc: Division of Communications

I:\000353co.bk

12/10