

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of Pay  
Telephone Certificate No. 4345  
issued to Malecon Pharmacy, Inc.  
for violation of Rule 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees; Telecommunications  
Companies.

DOCKET NO. 000965-TC  
ORDER NO. PSC-01-0196-FOF-TC  
ISSUED: January 22, 2001

The following Commissioners participated in the disposition of  
this matter:

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

ORDER CANCELING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

Malecon Pharmacy, Inc. (Malecon), holder of Pay Telephone Certificate (PATS) of Public Convenience and Necessity No. 4345, has requested the cancellation of PATS Certificate No. 4345. Malecon has complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its PATS certificate and by submitting its Regulatory Assessment Fees (RAFs) for the year 1999. Accordingly, we find it appropriate to cancel PATS Certificate No. 4345, effective October 13, 2000. Malecon shall return to this Commission the Order granting authority to provide PATS services. The Commission is vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAFs of \$50 if the certificate was active during any portion of the calendar year. A

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RAFs Return notice for the year 2000 has been mailed to Malecon. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the year 2000 shall relieve Malecon from its obligation to pay RAFs for the year 2000.

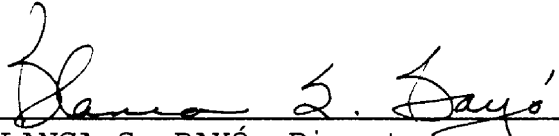
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Malecon Pharmacy, Inc.'s Certificate No. 4345 to provide Pay Telephone services is hereby canceled, effective October 13, 2000. It is further

ORDERED that Malecon Pharmacy, Inc. shall return to this Commission the Order granting authority to provide Pay Telephone services and remit Regulatory Assessment Fees for the year 2000. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission, this 22nd day of January, 2001.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

FRB

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 or judicial review of Commission orders that is available under Sections 120.57 or 120.68, 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 or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.