

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date March 5, 2001

Docket No. 010285-7C

1. Division Name/Staff Name Competitive Services/Isler
2. OPR Competitive Services/Isler
3. OCR Legal Services
4. Suggested Docket Title Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 5880 Issued to SM 106 Ltd. for Violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

William M. Murphy _____

2. Interested Persons and their representatives (if any)

6. Check one:

- Documentation is attached.
- Documentation will be provided with recommendation.

I:\PSC\RAR\WP\ESTDKT.

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE
02888 MAR-50
FPSC-RECORDS/REPORTING

STATE OF FLORIDA

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



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

Public Service Commission

January 17, 2001

Mr. William M. Murphy, President
SM 106 Ltd.
4300 N. University Drive, Suite D-103
Lauderhill, FL 33351

**Re: SM106 Ltd.
Certificate No. 5880**

Dear Mr. Murphy:

This is a follow up to your letter dated December 21 in which you requested cancellation of your pay telephone certificate. There are two types of cancellation. The first is voluntary and is requested by the certificate holder. The Commission grants voluntary cancellations if a company is in good standing and has no outstanding balance of the Regulatory Assessment Fee. The other is involuntary. This is where the Commission cancels a certificate for a rule violation, such as not paying the Regulatory Assessment Fee. If the Commission cancels a certificate involuntarily, any unpaid fees, including penalty and interest charges, are forwarded to the Comptroller's Office for collection attempts. I'm enclosing a copy of Rule 25-24.514, Florida Administrative Code, for your review.

The Regulatory Assessment Fee is owed if a certificate is active for any day during a calendar year. Although you may have sold your business in 1999, the Commission was not advised, therefore, the Regulatory Assessment Fee is owed for the year 2000. In addition, our records show that you have a \$0.50 balance for the 1998 RAF, breakdown attached. Since we received your request for cancellation on December 26, 2000, I will make that date the effective date of the cancellation if your payment for the \$50 fee is postmarked by January 30, 2001.

Please let me know by January 30 how you wish to proceed. 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.

Mr. William M. Murphy, President
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January 17, 2001

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler".

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

Enclosures

25-24.514 Cancellation of a Certificate.

- (1) The Commission may cancel a company's certificate for any of the following reasons:
 - (a) Violation of the terms and conditions under which the authority was originally granted;
 - (b) Violation of Commission rules or orders;
 - (c) Violation of Florida Statutes; or,
 - (d) Failure to provide service for a period of six (6) months.

- (2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request.
 - (a) Statement of intent and date to pay Regulatory Assessment Fee.
 - (b) Statement of why the certificate is proposed to be cancelled.

- (3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 350.127(1), 364.03, 364.285, 364.337, 364.345 FS.

History--New 1-5-87.

RAF ACCOUNT

Printed on 01/17/2001 at 08:55:56 by PJI

SM 106 Ltd. (TG345)

Period Covered: 01/01/1998-12/31/1998	Actual Return: Yes	Operating Revenue: \$511.50	
Service: PAT	Received RAF Form: Yes	Interstate Revenue: \$0.00	
Due Date: 02/01/1999	Payment Plan: No	Net RAF Due: \$50.00	
Postmark Date: 01/28/2000	Extension: No	Refund Issued: \$0.00	
Satisfied: No	RAF Rate: 0.0015	Fine Paid: \$0.00	

DESCRIPTION	AMOUNT DUE	AMOUNT PAID	AMOUNT OWED
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$12.50	\$12.50	\$0.00
Interest	\$6.50	\$6.00	\$0.50
Extension Fee	\$0.00	\$0.00	\$0.00
Additional Payment	\$0.00	\$0.00	\$0.00
Total	\$69.00	\$68.50	\$0.50

SM 106 LIMITED
4300 NORTH UNIVERSITY DRIVE
SUITE D-103
LAUDERHILL, FLORIDA 33351
(954) 746-2221 Office (954) 746-1861 Fax

00 DEC 26 AM 9:20
FLORIDA
PUBLIC SERVICE COMM.
DIV. OF ADMINISTRATION
OUT IF CHECKED

TG345

December 21st, 2000

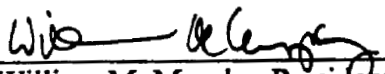
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Attn. Division of Competitive Services

Re: Regulatory Assessment Fee

Gentlemen,

Enclosed please find the Regulatory Assessment Fee Return for a pay phone I use to have at my property, however I have sold this pay phone to Kenworthy Payphones on 4/23/99 and no longer need this license. I have no other payphones nor do we plan on installing any new phones. Please advise me as to the instructions on canceling this license as there has not been any revenue since 1999.

Thank you for your help regarding this matter and if you have any further questions, please advise at the above numbers.



William M. Murphy, President
SM 106 Limited a Florida Limited Partnership
By: SM Corporation, G.P.

TG345

00 DEC 26 AM 9:02

- Memo
December 14th, 2000

TO: Kenworthy Payphones
FROM: Wm William M. Murphy/ SM 106 Limited 746-2221
RE: Pay Phone Service Provider Regulatory Assessment
Fee Return

Dear Mr. Kenworthy,

Enclosed please find the above referenced material. Please see to it that this is filed in a timely matter so that SM 106 Limited is not penalized this year.

If you have any questions or need further information please advise.

This Regulatory Assessment Fee Form must be handled by you with the FL P.S.C.

Call them & let them know you no longer have the phone for which you purchased a permit & want your permit cancelled. Original phone was removed

4/23/99

James Kenworthy