

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 4327
issued to Edward D. Pacetti for
violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees; Telecommunications
Companies.

DOCKET NO. 010462-TC

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 5140
issued to Joseph E. Browder and
Gary D. Carlson for violation of
Rule 25-4.0161, F.A.C.,
Regulatory Assessment Fees;
Telecommunications Companies.

DOCKET NO. 010497-TC
ORDER NO. PSC-01-1520-FOF-TC
ISSUED: July 23, 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 GRANTING VOLUNTARY CANCELLATION OF
PAY TELEPHONE CERTIFICATES

BY THE COMMISSION:

The entities listed below had not paid the Regulatory
Assessment Fees (RAFs) required by Section 364.336, Florida
Statutes, and Rule 25-4.0161, Florida Administrative Code, for the
years specified below. Also, accrued statutory penalties and
interest charges had not been paid.

DOCUMENT NUMBER-DATE

08917 JUL 23 01

FPSC-COMMISSION CLERK

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 pay telephone service.

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. Each of the entities listed below was scheduled to remit its RAFs by January 30, 2001.

After Orders were issued to impose fines or cancel the certificates, each of the entities contacted our staff, paid the past due amounts in full, including statutory penalties and interest charges, and requested voluntary cancellation of their respective certificates. Accordingly, we find it appropriate to cancel the certificates listed below, effective on the dates shown. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.335, Florida Statutes.

| <u>ENTITY'S NAME</u> | <u>CERTIFICATE NO.</u> | <u>EFFECTIVE DATE</u> |
|--|------------------------|-----------------------|
| Edward Pacetti | 4327 | 5/15/01 |
| Joseph E. Browder and Gary D. Carlson | 5140 | 5/4/01 |

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the pay telephone certificates listed herein are hereby canceled, effective on the dates shown above. It is further

ORDERED that these Dockets are closed.

ORDER NO. PSC-01-1520-FOF-TC
DOCKETS NOS. 010462-TC, 010497-TC
PAGE 3

By ORDER of the Florida Public Service Commission this 23rd
Day of July, 2001.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

JAE

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 the Commission Clerk and Administrative Services, 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

ORDER NO. PSC-01-1520-FOF-TC
DOCKETS NOS. 010462-TC, 010497-TC
PAGE 4

with the Director, Division of the Commission Clerk and Administrative Services 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.