

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for cancellation
of Pay Telephone Certificate No.
7532 by Timothy B. Kelly,
effective 7/31/01.

DOCKET NO. 011079-TC
ORDER NO. PSC-01-2006-FOF-TC
ISSUED: October 8, 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:

Timothy B. Kelly, holder of Pay Telephone Certificate (PATS) of Public Convenience and Necessity No. 7532, has requested the cancellation of PATS Certificate No. 7532. Timothy B. Kelly has complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of his request for cancellation of his PATS certificate and by submitting his Regulatory Assessment Fees (RAFs) for the year 2000. Accordingly, we find it appropriate to cancel PATS Certificate No. 7532, effective July 31, 2001. 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 RAF of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice for the year 2001 will be mailed to Timothy B. Kelly. Neither the cancellation of his certificate nor the failure to receive a RAFs Return notice for the year 2001 shall relieve Timothy B. Kelly from his obligation to pay RAFs for the year 2001.

Based on the foregoing, it is

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FPSC-COMMISSION CLERK

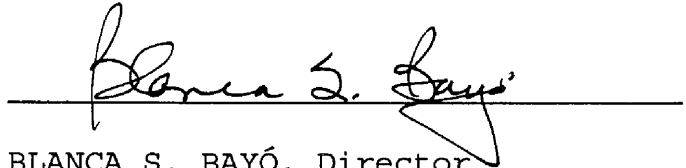
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ORDERED by the Florida Public Service Commission that Timothy B. Kelly's Certificate No. 7532 to provide Pay Telephone services is hereby canceled, effective July 31, 2001. It is further

ORDERED that Timothy B. Kelly shall remit Regulatory Assessment Fees for the year 2001. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission this 8th Day of October, 2001.

A handwritten signature in cursive script, reading "Blanca S. Bayó", is written over a horizontal line. The signature is positioned to the left of the printed name and title.

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

(S E A L)

KMP

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

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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 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.