

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of IXC  
Certificate No. 2995 issued to  
Peoples Telephone Company, Inc.  
d/b/a PTC Services for violation  
of Rule 25-4.0161, F.A.C.,  
Regulatory Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 010860-TI  
ORDER NO. PSC-01-2421-PAA-TI  
ISSUED: December 12, 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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER GRANTING VOLUNTARY CANCELLATION OF  
INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service  
Commission that the action discussed herein is preliminary in  
nature and will become final unless a person whose interests are  
substantially affected files a petition for a formal proceeding,  
pursuant to Rule 25-22.029, Florida Administrative Code.

Peoples Telephone Company, Inc. d/b/a PTC Services (PTC  
Services) currently holds Certificate of Public Convenience and  
Necessity No. 2995, issued by the Commission on August 19, 1992,  
authorizing the provision of Interexchange Telecommunications  
service. The Division of the Commission Clerk and Administrative  
Services advised our staff that PTC Services had not paid the  
Regulatory Assessment Fees (RAFs) required by Section 364.336,  
Florida Statutes, and Rule 25-4.0161, Florida Administrative Code,

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FPSC-COMMISSION CLERK

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for the year 2000. Also, accrued statutory penalties and interest charges for late RAFs payments for the year 2000 had not been paid. PTC Services was scheduled to remit its RAFs by January 30, 2001.

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. Pursuant to Section 350.113(4), Florida Statutes, the RAFs forms, for the period of January 1, through December 31, are mailed to entities at least 45 days prior to the date that payment of the fee is due. All entities that apply for certification receive a copy of our rules governing Interexchange Telecommunications service.

In a prior proceeding, Docket No. 970929-TI was established for nonpayment of the 1996 Regulatory Assessment Fee (RAF). On September 9, 1997, Order No. PSC-97-1054-FOF-TI was issued which imposed a \$500 fine. The company subsequently paid the past due RAF and \$500 fine and the docket was closed.

On October 16, 2001, we issued Order No. PSC-01-2036-PAA-TI to impose a \$1,000 fine. Failure to comply or respond to this Order would result in the cancellation of PTC Services's certificate. PTC Services has since paid the 2000 and 2001 RAFs, including accrued statutory penalties and interest charges for the year 2000, and requested voluntary cancellation of its certificate. Accordingly, we find it appropriate to cancel Interexchange Telecommunications Certificate No. 2995, effective October 19, 2001. We are vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.335, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Peoples Telephone Company, Inc. d/b/a PTC Services' Certificate No. 2995 to provide Interexchange Telecommunications services is hereby canceled, effective October 19, 2001. It is further

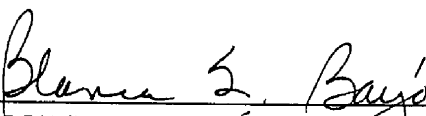
ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance

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of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 12th Day of December, 2001.

  
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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 that is available under Section 120.57, 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 will be granted or result in the relief sought.

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Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 2, 2002.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.