

State of Florida



Public Service Commission
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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION CLERK

DATE: FEBRUARY 21, 2002

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES (BAYÓ)

FROM: DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (PRUITT) X
OFFICE OF THE GENERAL COUNSEL (K. PEÑA/ B. KEATING) mp 2/c

RE: DOCKET NO. 011270-TC - APPLICATION FOR CERTIFICATE TO
PROVIDE PAY TELEPHONE SERVICE BY CAREY LANNON D/B/A WIRED
COMMUNICATIONS.

AGENDA: 03/05/02 - REGULAR AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\011270.RCM

CASE BACKGROUND

On September 26, 2001, Mr. Carey Lannon filed an application to provide pay telephone service in Florida as an individual under the fictitious name of Wired Communications. During staff's review it was discovered that Mr. Lannon is not the sole owner of the fictitious name.

On October 2, 2001, staff spoke with Mr. Lannon concerning this problem and was informed that he would correct the filing at the Florida Department of State, Division of Corporations. Staff called Mr. Lannon on November 2, 16, and 21. Each time a message was left inquiring of the status of the fictitious name. On November 21 an e-mail was also sent. No response was received.

On January 3, 2002, staff sent a certified letter to the official mailing address listed in the application. The letter was returned by the Post Office as "unclaimed." DOCUMENT NUMBER-DATE

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The Commission is vested with jurisdiction in this matter pursuant to Sections 364.335 and 364.3375.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant Carey Lannon d/b/a Wired Communications a certificate to provide pay telephone service in the State of Florida as provided by Section 364.3375, Florida Statutes?

RECOMMENDATION: No. The applicant should not be granted a certificate to provide pay telephone service in Florida. (Pruitt)

STAFF ANALYSIS: To date, the applicant has not responded to staff's numerous inquiries regarding the fictitious name, Wired Communications. Due to the applicant's failure to respond to repeated requests for information necessary to process the application, staff does not believe it is in the public interest to grant a certificate to the applicant.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order. (K. Peña/ B. Keating)

STAFF ANALYSIS: At the conclusion of the protest period, if no protest is filed, this docket should be closed upon the issuance of a consummating order.