

REQUEST TO ESTABLISH DOCKET
(Please Type)

Date	March 12, 2003	Docket No.	030247-TC
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1. Division Name/Staff Name:	Competitive Markets & Enforcement/T.Williams
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2. OPR:	T.Williams
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3. OCR:	
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4. Suggested Docket Title:	Request by Ralph J. Lupton, Jr. for cancellation of PATS Certificate No. 2413, effective 1/10/03.
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5. Suggested Docket Mailing List (attach separate sheet if necessary)

A. Provide NAMES OR ACRONYMS ONLY if a regulated company.

B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)

1. Parties and their representatives (if any):

2. Interested persons and their representatives (if any):

6. Check one:

Documentation is attached.

Documentation will be provided with recommendation.

JEW
3/11/03



COMPANY NAME: Ralph J. Lupton, Jr. CO. CODE: TE151

COMPANY LIAISON: Same, owner

DOCKET NO.: _____ CERTIFICATE NO.: 2413 EFFECTIVE: 12/22/89

RAF RETURN NOTICE: _____

DELINQUENT NOTICE: _____

OTHER RETURNED MAIL: _____

CCA'S RETURNED MAIL: _____

YEAR(s) RAFs NOT PAID: 2003 Pd

YEAR(s) PENALTIES & INTEREST NOT PAID: 2002 (\$3) Pd

REVENUES/YEAR: \$0/2002 (02/07/03)

DATE LOTUS CHECKED FOR PAYMENT: _____

OTHER INFORMATION

01/10/03 - The Commission received the company's 2002 RAF, with a note

"I don't own any phones anymore." Payment for the 2002 RAF
was not included.

01/13/03 - Wrote company and advised full payment needed to be paid by

01/30/03 to be granted a voluntary cancellation effective

12/31/02. Follow up 01/30/03.

02/12/03 - Wrote company and advised to pay 2000 P&I, 2002 RAF, and

Continued

02/12/03 - 2003 RAF. Follow up 03/01/03.

02/13/03 - From company (Nettles) - E-mail advising the Commission received

a check for \$53 from the company, postmarked 02/07/03. Asked if

she could open a docket. Advised no.

03/05/03 - Mr. Lupton called at 10:54 a.m. and advised me to go ahead and

cancel his certificate and "just keep billing" him for the RAF

because he does not intend to pay it. I explained that the

unpaid RAF would be turned over to collections. He said he

understood, but did not agree that he owes it. He asked me to

just throw the file away and save "him and the state" some money.

He said it is ridiculous that he owes another \$50 to cancel a

certificate for some payphones that he hasn't had in seven/eight

months. I said that I could not do that. He said OK.

3/5/03 - v/m msg. @ 3:03pm fr. R.L. Id. he's thought

about it & will send a ck. for \$50 so we

won't "mess" up his credit. Call if I have

questions 813-527-8695

3/10/03 - Iron Co. - Paym. of 2003 RAF.

3/11/03 - Forwarded file to JG for handling.
Voluntary cancellation by 110103.

RALPH J. LUPTON, JR.
OR NANCY A. LUPTON

3616

PH. 813-988-2054
8745 OVERLOOK DR.
TEMPLE TERRACE, FL 33617-6119

DATE 3-05-03

83-9103/2631
51

PAY
TO THE
ORDER OF

Public Service Comm

\$ 50.00

FIFTY

100/100

DOLLARS

Mercantile
Bank

9400 54TH STREET N.
TEMPLE TERRACE, FLORIDA 33617
33617-6119

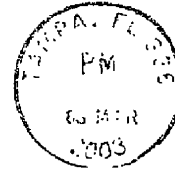
FOR

2005 Fee TE151

R. J. Lupton Jr

GUARDIAN'S SAFETY
© 1999 Mercantile Bank

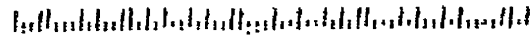
Mr. Ralph Lupton
PO Box 16767
Tampa, FL 33687-6767



*Public Service Comm
2540 SHUMARD OAK Blvd
TALLAHASSEE, FLA
32399-0850*

ATT Paula J Isler

32399+0850



Paula Isler

From: Ruth Nettles
Sent: Thursday, February 13, 2003 12:29 PM
To: Paula Isler
Subject: RE: TE151/Ralph J. Lupton

You got it, we'll place in undocketed.

-----Original Message-----

From: Paula Isler
Sent: Thursday, February 13, 2003 12:27 PM
To: Ruth Nettles
Subject: RE: TE151/Ralph J. Lupton

Same with this one. Do not open a docket.

-----Original Message-----

From: Ruth Nettles
Sent: Thursday, February 13, 2003 12:26 PM
To: Paula Isler
Subject: RE: TE151/Ralph J. Lupton

2/7/03.

-----Original Message-----

From: Paula Isler
Sent: Thursday, February 13, 2003 12:25 PM
To: Ruth Nettles
Subject: RE: TE151/Ralph J. Lupton

What is the postmarked date of this payment?

-----Original Message-----

From: Ruth Nettles
Sent: Thursday, February 13, 2003 12:25 PM
To: Paula Isler
Subject: TE151/Ralph J. Lupton

Paula, this company has sent in \$53 (P/I and 2002 RAF), and attached is your fax dated 1/13/03. Let me know if we should now open a cancellation docket. Thanks.

Pay Telephone Service Provider Regulatory Assessment Fee Return

2000 P&I and 2002 RAF

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS

P. Isler
CCA

- Actual Return
- Estimated Return
- Amended Return

TE151-02-0-R
 Ralph J. Lupton, Jr.
 P. O. Box 16768
 Tampa, FL 33647-0768
 DATE
 D3 08 FEB 13 2003

FOR PSC USE ONLY
 Check # 3579
 \$ 50.00
 \$ 2.50
 \$.50
 Postmark Date 2/17/03
 Initials of Preparer JMC

PERIOD COVERED:
01/01/2002 TO 12/31/2002

Please Complete Below If Official Mailing Address Has Changed

(Name of Company) (Address) (City/State) (Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	\$
2.	Gross Intrastate Revenue	\$
3.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	\$
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	\$
5.	Regulatory Assessment Fee Due - (Multiply Line 4 by 0.0015)	\$
6.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	\$
7.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	\$
8.	TOTAL AMOUNT DUE	\$

AS PROVIDED IN SECTION 364.336 FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50

THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED

9. Number of pay telephones in operation at close of period covered by this Return

I don't own any phones any more

* These amounts must be intrinsic only and must be verifiable.

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

(Signature of Company Official) (Title) (Date)

(Preparer of Form - Please Print Name)

Telephone Number () Fax Number ()

F.F.I. No

C: Pamela Isler

STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

February 12, 2003

Mr. Ralph J. Lupton, Jr. (TE151)
PO Box 16768
Tampa, FL 33687-6768

Dear Mr. Lupton:

On January 10, 2003, the Commission received your 2002 Regulatory Assessment Fee return form with the note "I don't own any phones anymore." The minimum payment for the 2002 Regulatory Assessment Fee was not received. On January 13, 2003, I faxed you a note explaining that if payment of the 2002 Regulatory Assessment Fee, along with the \$3.00 penalty and interest balance for late payment of the 2000 fee, was received by January 30, 2003, a docket would be established to grant you a voluntary cancellation with an effective date of December 31, 2002. A response has not been received.

There are two kinds of cancellations. The first is voluntary, which is normally granted if the company is in good standing with the Commission and does not have a past due balance of the Regulatory Assessment Fee, including statutory penalty and interest charges. The other is involuntary. If a company is not in good standing and has an outstanding balance of the Regulatory Assessment Fee, the Commission normally cancels the certificate on its own motion for a rule violation. It should be noted that any balance owed is turned over to collections.

Normally, the effective date of a cancellation is the date that the Commission received a company's request for cancellation. However, if a company pays the Regulatory Assessment Fee timely, but in a different year, and requests cancellation, the effective date is normally the last working day of the prior year.

In this case, the Commission received your request January 10, 2003, and with what appeared to be a request for cancellation. Had the Commission also received payment of the 2002 Regulatory Assessment Fee by the due date of January 30, 2003, the effective date of the cancellation would have been December 31, 2002. Since payment was not received timely, the effective date of the cancellation will now be January 10, 2003, which means the company now owes the 2003 Regulatory Assessment Fee, even if the company is no longer in business or, in fact, never went into business.

Therefore, based on the above information, I cannot recommend a voluntary cancellation of

Mr. Ralph J. Lupton, Jr. (TE151)

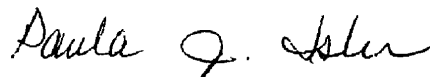
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your certificate unless the past due balance is paid and you either go ahead and pay the 2003 Regulatory Assessment Fee or provide the date the 2003 Regulatory Assessment Fee will be paid. Please respond in writing by March 1, 2003, and let me know how you wish to proceed.

In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, by internet e-mail at pisler@psc.state.fl.us, or at the address listed at the bottom of Page 1.

Sincerely, -



Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosure (Rule 25-24.514, F.A.C.)