

BEFORE THE PUBLIC SERVICE COMMISSION

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| In re: Request by Walk-In Phone Centers, Inc. for cancellation of PATS Certificate No. 5395; and application for certificate to provide pay telephone service by AKS Communications, Inc. | DOCKET NO. 031118-TC ORDER NO. PSC-04-0140-PAA-TC ISSUED: February 11, 2004 |
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The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELING PAY TELEPHONE CERTIFICATE NO. 5395
AND GRANTING CERTIFICATE NO. 8436 TO PROVIDE
PAY TELEPHONE SERVICE

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.

Walk-In Phone Centers, Inc., holder of Pay Telephone (PATS) Certificate of Public Convenience and Necessity No. 5395, has requested that Certificate No. 5395 be canceled and applied for a certificate to provide PATS service pursuant to Section 364.3375, Florida Statutes, for its company, AKS Communications, Inc. Walk-In Phone Centers, Inc. has registered its business under the new corporation, AKS Communications, Inc.

Walk-In Phone Centers, Inc. has complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its Pay Telephone certificate and by submitting its Regulatory Assessment Fees for the year 2003. Accordingly, we find it appropriate to cancel PATS Certificate No. 5395. Walk-In Phone Centers, Inc. shall return to this Commission the Order granting authority to provide PATS services.

DOCUMENT NUMBER-DATE

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PSC-COMMISSION CLERK

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Upon consideration of AKS Communications, Inc.'s application, it appears to be in the public interest to grant PATS Certificate No.8436 to AKS Communications, Inc. We are vested jurisdiction over this matter pursuant to Section 364.3375, Florida Statutes.

If this Order becomes final and effective, it shall serve as AKS Communications, Inc.'s certificate. It should, therefore, be retained as proof of certification. The effective date of the cancellation of Certificate No. 5395 will be the same effective date as the new Certificate No.8436 to avoid a break in service.

PATS providers are subject to Chapter 25-24, Florida Administrative Code, Part XI, Rules Governing Pay Telephone Service Provided by Other Than Local Exchange Telephone Companies. PATS providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAFs of \$50 if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed to both Walk-In Phone Centers, Inc. and AKS Communications, Inc. for payment by January 30th. Neither the cancellation of the certificate nor the failure to receive a RAFs Return notice shall relieve Walk-In Phone Centers, Inc. and AKS Communications, Inc. from their obligation to pay RAFs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request by Walk-In Phone Centers, Inc. to cancel Pay Telephone Certificate No. 5395 is hereby approved. It is further

ORDERED that Walk-In Phone Centers, Inc. shall remit Regulatory Assessment Fees for the year 2004. It is further

ORDERED that we hereby grant Certificate No.8436 to AKS Communications, Inc., which shall authorize it to provide Pay Telephone service, subject to the terms and conditions specified in the body of this Order. It is further

ORDERED that this Order shall serve as AKS Communications, Inc.'s certificate and should be retained by AKS Communications, Inc. as proof of certification. It is further

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


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

By ORDER of the Florida Public Service Commission this 11th day of February, 2004.

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

By:



Kay Flynn, Chief
Bureau of Records

(S E A L)

LHD

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.

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 March 3, 2004.

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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/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.