

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Compliance investigation of Daytona Telephone Company for apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 040403-TC
ORDER NO. PSC-04-0804-FOF-TC
ISSUED: August 18, 2004

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

ORDER CANCELING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

Daytona Telephone Company (Daytona), holder of Pay Telephone Certificate (PATS) of Public Convenience and Necessity No. 6006, has requested the cancellation of PATS Certificate No. 6006. Daytona 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 PATS certificate. Accordingly, we find it appropriate to cancel PATS Certificate No. 6006, effective June 23, 2004. We are 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 2004 has been mailed to Daytona for payment by January 30th. Neither the cancellation of its certificate nor the failure to receive RAFs Return notice for the year 2004 shall relieve Daytona from its obligation to pay RAFs for the year 2004.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Daytona Telephone Company's Certificate No. 6006 to provide Pay Telephone services is hereby canceled, effective June 23, 2004. It is further

ORDERED that Daytona Telephone Company shall remit Regulatory Assessment Fees for the year 2004. It is further

DOCUMENT NUMBER-DATE

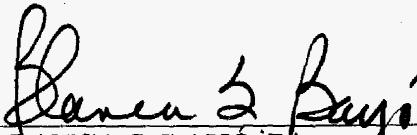
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FPSC-COMMISSION CLERK

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ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission this 18th day of August, 2004.



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

(S E A L)

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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 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.