

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Cancellation by Florida ) DOCKET NO. 940507-TC  
Public Service Commission of Pay ) ORDER NO. PSC-94-1075-FOF-TC  
Telephone Certificate No. 3383 ) ISSUED: September 1, 1994  
issued to B. AND I. COFFEE SHOP, )  
INC. for violation of Rule 25- )  
24.0161(2), F.A.W., Regulatory )  
Assessment Fee Filing. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
SUSAN F. CLARK  
JULIA L. JOHNSON  
DIANE K. KIESLING

ORDER VACATING PORTIONS OF ORDER PSC-94-0824-FOF-TC

BY THE COMMISSION:

By Order PSC-94-0824-FOF-TC, issued July 6, 1994, we ordered B. & I. Coffee Shop (B & I), holder of Pay Telephone Certificate Number 3383, to pay a \$250 fine or have its certificate cancelled for failure to pay 1993 regulatory assessment fees.

A review of our records indicated that B & I paid its regulatory assessment fees and the applicable late charge on March 17, 1994 and this docket was opened due to a clerical error. B & I sent documentation verifying payment and our Bureau of Fiscal Services verified that payment had been made. Although B & I was late, it paid its fees and late charges before this docket was opened. It would not be appropriate to take further action against B & I since no action was taken against similarly-situated companies.

Accordingly, we vacate Order PSC-94-0824-FOF-TC as it applies to B. & I. Coffee Shop (Docket 94507). The Order will stand with respect to the other dockets referenced in it.

It is, therefore,

ORDERED by the Florida Public Service Commission that Order PSC-94-0824-FOF-TC, issued in this docket on July 6, 1994, is vacated with respect to this docket. It is further

DOCUMENT NUMBER-DATE  
09041 SEP-1 1994  
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ORDERED that Order PSC-94-0824-FOF-TC shall remain in effect with respect to each of the other dockets referenced in that Order. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 1st day of September, 1994.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Dizon  
Chief, Bureau of Records

( S E A L )  
LMB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 Records and Reporting 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 or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.