

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Pay )  
Telephone Certificate. )  
 )  
J. SCOTT BERGERON ) DOCKET NO. 960690-TC  
JULIE A. STOLZER ) DOCKET NO. 960691-TC  
JAMES M. BICKHARDT ) DOCKET NO. 960692-TC  
DERRELL FAGAN ) DOCKET NO. 960693-TC  
V & B COMMUNICATIONS, INC. ) DOCKET NO. 960709-TC  
JAMES PAUL ELLIOTT ) DOCKET NO. 960710-TC  
DAVID C. TITUS ) DOCKET NO. 960711-TC  
 )  
 ) ORDER NO. PSC-96-0940-FOF-TC  
 ) ISSUED: July 19, 1996

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The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER GRANTING CERTIFICATES 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.

Each of the entities listed in the caption of this Order have filed applications for certificates to provide pay telephone service. These applications were filed pursuant to Section 364.3375, Florida Statutes, which provides that no person may provide pay telephone service without first obtaining from this Commission a certificate authorizing the provision of such service, in accordance with Section 364.335, Florida Statutes, and Rule 25-24.511, Florida Administrative Code.

Upon review, we find that these applications contain the information required for certification as set forth in Sections

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364.3375 and 364.335, Florida Statutes, and Rule 25-24.511, Florida Administrative Code. Accordingly, we grant, to each of the entities listed in the caption of this Order, a certificate to provide pay telephone service consistent with the conditions and requirements set forth in Rules 25-24.505 through 25-24.520, Florida Administrative Code. The entities and certificate numbers are listed below.

<u>NAME</u>	<u>CERTIFICATE NUMBER</u>
J. Scott Bergeron	4899
Julie A. Stolzer	4900
James M. Bickhardt	4901
Derrell Fagan	4902
V & B Communications, Inc.	4904
James Paul Elliott	4905
David C. Titus	4906

This Order, if it becomes final and effective, will serve as each entity's certificate. Each entity listed above should retain this Order as evidence of certification by this Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to each of the applicants listed in the caption of this Order, a certificate to provide public pay telephone service subject to the conditions stated in the body of this Order. It is further

ORDERED that each entity shall operate under the appropriate certificate number as listed in the body of this Order and shall retain this Order as evidence of certification. It is further

ORDERED that any petition protesting any particular application shall not prevent the action proposed herein from becoming final as to the other applications listed in the caption of this Order. It is further

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ORDERED that, unless a person whose substantial interests are affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, the certificates shall become effective on the following date and these dockets shall be closed.

By ORDER of the Florida Public Service Commission, this 19th day of July, 1996.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Lynn  
Chief, Bureau of Records

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form

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provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 9, 1996.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the effective date 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.