

MEMORANDUM

November 30, 1998

NOV 30 PM 3:31

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (PENNA) *KMP*
RE: DOCKET NO. 981035-TC, 981354-TC, 981355-TC, 981376-TC, 981392-TC - APPLICATIONS FOR PAY TELEPHONE CERTIFICATES. *INC B*

98-1588-FOF-TC

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING CERTIFICATES TO PROVIDE PAY TELEPHONE SERVICE, to be issued in the above-referenced docket. (Number of pages in order - 4)

KMP/anr
Attachment
cc: Division of Communications
I: 981392.kmp

See

13/2

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for
certificates to provide pay
telephone service by:

GCB Communications, Inc.
THETA COMM, INC.
Juan R. Acevedo
Everglades Alligator Farm, Inc.
Parallel Foundation, Inc.

DOCKET NO. 981035-TC
DOCKET NO. 981354-TC
DOCKET NO. 981355-TC
DOCKET NO. 981376-TC
DOCKET NO. 981392-TC

ORDER NO. PSC-98-1588-FOF-TC
ISSUED: November 30, 1998

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

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.

The entities listed below have applied for certificates to
provide Pay Telephone (PATS) service pursuant to Section 364.3375,
Florida Statutes. Upon consideration of their applications, it
appears to be in the public interest to grant the following PATS
certificates to the entities listed below.

ENTITY'S NAME

GCB Communications, Inc.

CERTIFICATE NO.

5978

DOCUMENT NUMBER DATE

13377 NOV 30 98

DOCKET NO. 981392-TC

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<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>
THETA COMM, INC.	5971
Juan R. Acevedo	5972
Everglades Alligator Farm, Inc.	5973
Parallel Foundation, Inc.	5974

If this Order becomes final and effective, it shall serve as each entity's certificate. It should, therefore, be retained by these entities as proof of certification.

Non-local exchange company Pay Telephone service 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. They are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates 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 these entities' certificates and they should retain this Order as proof of certification. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee,

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Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

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

By ORDER of the Florida Public Service Commission, this 30th day of November, 1998.



KAY FLYNN, Chief
Bureau of Records

(S E A L)

KMP

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.

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

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Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 21, 1998.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date.

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.