

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date August 26, 1999

Docket No. 991228-TC

- 1. Division Name/Staff Name Communications/Isler
- 2. OPR Communications/Isler
- 3. OCR Legal Services/K. Peña; C. Bedell

4. Suggested Docket Title Cancellation by Florida Public Service Commission of PATS Certificate No. 1415 Issued to Pepe's American, Inc., for Violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

<u>Jose Gonzalez</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Check one:
- Documentation is attached.
 - Documentation will be provided with recommendation.

I:\PSC\RAR\WP\ESTDKT.
PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE
10251 AUG 26 99
FPSC-RECORDS/REPORTING

RAF93

CMPHY CODE	COMPANY NAME	RIS DATE	INACTIVE DATE	RAF PERIOD ENDING	X NO RAF FORM	RAF & COLL FEE PAYMENT AMOUNT	COLL AGENCY FEE	RAF (NO EXTENSION) RECEIVED	POST MARK DATE	DEPOSIT NUMBER	PENALTY DUE FROM DAYS 20% MAX	PENALTY PAID	INTEREST DUE FROM DAY	INTEREST PAID	DATE DELINQUENT LETTER MAILED	DATE P & I LETTER MAILED	DAYS OF EXT	EXTENSION AMOUNT @ 75%/18 DA 1.5%/30 DA
TD310	Pepe's American, In	10-Jan-87	--	12-31-93		\$50.00		\$50.00	12-29-93	AT865								
TD310	Pepe's American, In	10-Jan-87	--	6-30-93		\$50.00		\$50.00	6-25-93	A0787								

RAF92

CMPHY CODE	COMPANY NAME	RIS DATE	INACTIVE DATE	RAF PERIOD ENDING	X NO RAF FORM	RAF & COLL FEE PAYMENT AMOUNT	COLL AGENCY FEE	RAF (NO EXTENSION) RECEIVED	POST MARK DATE	DEPOSIT NUMBER	PENALTY DUE FROM DAYS 20% MAX	PENALTY PAID	INTEREST DUE FROM DAY	INTEREST PAID	DATE DELINQUENT LETTER MAILED	DATE P & I LETTER MAILED	DAYS OF EXT	EXTENSION AMOUNT @ 75%/18 DA 1.5%/30 DA
TD310	Pepe's American, In	10-Jan-87	--	12-31-92		\$50.00		\$50.00	1-8-93	AH593								
TD310	Pepe's American, In	10-Jan-87	--	6-30-92		\$50.00		\$50.00	6-22-92	AA458								

RAF91

CMPHY CODE	COMPANY NAME	RIS DATE	INACTIVE DATE	RAF PERIOD ENDING	X NO RAF FORM	RAF & COLL FEE PAYMENT AMOUNT	COLL AGENCY FEE	RAF (NO EXTENSION) RECEIVED	POST MARK DATE	DEPOSIT NUMBER	PENALTY DUE FROM DAYS 20% MAX	PENALTY PAID	INTEREST DUE FROM DAY	INTEREST PAID	DATE DELINQUENT LETTER MAILED	DATE P & I LETTER MAILED	DAYS OF EXT	EXTENSION AMOUNT @ 75%/18 DA 1.5%/30 DA
TD310	Pepe's American, In	10-Jan-87	--	12-31-91		\$50.00		\$50.00	12-16-91	HC315								
TD310	Pepe's American, In	10-Jan-87	--	6-30-91		\$50.00		\$50.00	7-1-91	C198								

V7

State of Florida



Public Service Commission

2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

FOR YOUR INFORMATION

DATE: April 13, 1999
TO: Jose Gonzalez, President, Pepe's American, Inc.
FROM: *Dix* Paula Isler, (850) 413-6502-voice; 413-6503-fax; internet address is:
pisler@psc.state.fl.us
RE: Request for Cancellation of Pay Telephone Certificate No. 1415;
Company Code TD310

This is a follow up to our April 1, 1999, telephone conversation and your letter dated March 29, 1999. You stated that you had sold your business April 30, 1998 and that this was the second time you had requested cancellation of your certificate. Our records do not show receipt of your first request. Regardless of when you requested cancellation of your certificate, Commission rules provide that if a certificate is active for any day during a calendar year, regulatory assessment fees (RAFs) are owed for the year. Therefore, you are responsible for the 1998 RAFs. According to the Commission's Division of Administration's records, the 1998 RAFs were due by February 1, 1999, and we do not show receipt of payment. Details of the charges are provided below:

Year	Fee	Penalty	Interest	Comment
1998	\$50.00	\$7.50	\$1.50	Payment was due 2/1/99. No payment was received. Payment must be postmarked in April 1999 to avoid an increase in the penalty & interest charge.
Total	\$50.00	\$7.50	\$1.50	Grand Total: \$59.00

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As I explained, the past due amount of \$59.00 must be paid in full before the certificate can be voluntarily canceled. If I do not hear from you by April 28, 1999, I will have no choice except to proceed with an involuntary cancellation for nonpayment of the regulatory assessment fee, and statutory penalty and interest charges. Payment should be mailed to:

Division of Administration
Bureau of Fiscal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Let me know if you have any questions or wish to discuss this.

MARCH 29-1999

PUBLIC SERVICE COMMISSION

TO: Jackie Knight:

This is my SECOND REQUEST. THE FIRST REQUEST WAS ON APRIL 30, 1998, THIS WAS THE MONTH THAT WE SOLD THE BUSINESS. THE NEW OWNER IS JAIRD LOPEZ IN THE SAME LOCATION. 7390 SW 8 ST.

MIAMI FLA 33144

(305) 261-4487

Thank You For your ATTN:

Joe Amaluz

4-1-99

orig let with
delinquent notice to
CML/Delee

RECEIVED

MAR 02 1999

CML

4857

STATE OF FLORIDA

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



STEVE TRIBBLE, DIRECTOR
DIVISION OF ADMINISTRATION
(850) 413-6330

Public Service Commission

March 12, 1999

TD310
Pepe's American, Inc.
7390 S.W. 8th Street
Miami, FL 33144-4540

Delinquent Notice

According to the Commission's records, we have not received payment for your 1998 Regulatory Assessment Fee covering January 1, through December 31, 1998, which was due on February 1, 1999. If your RAF filing and payment are not received by April 1, 1999, your certificate may be canceled, and your account may be referred to the Commission's Division of Legal Services for appropriate action.

This is also to advise that pursuant to Florida Law, you shall add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof up to a maximum of 25%, in addition to the delinquent amount due. If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions, please contact Jackie Knight at (850) 413-6267.

c: Jackie Knight

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

PSC Website: www.scri.net/psc

Internet E-mail: contact@psc.state.fl.us

From: Paula Isler
To: Nonnye Grant
Subject: fwd: Mr. Gonzalez

CONFIRMED

====NOTE=====4/01/99=10:28am=====

Hey, Nonnye. I called him and he said you had received a letter to grant voluntary cancellation. Is RAR going to open a docket, or do you want to send it over to us?

Fwd=by:=Nonnye=Grant==4/01/99==1:05pm=====

Fwd to: Paula Isler

.....
Paula, I did receive a letter from Mr. Gonzalez yesterday, which was addressed to Jackie Knight, but she advised him to send it to my attention.

He advises that this is his 2nd request, the 1st request was on 4-20-98, the month that he sold the business. Advises who the new owner is. There is no change in the address for the company. Also attached to this letter is a copy of the delinquent notice that Fiscal had mailed out. Then this morning I had a call from Mr. Gonzalez wanting to know if I had received the information that he sent. That is when I call Rick. I will leave the decision up to you regarding opening a docket to cancel the certificiate. Will be happy to sent what I received to you to review and/or if you say that it is OK for RAR to open the docket to cancel, we can do so. Awaiting further word from you to say what we need to do. Thanks for all of your help. Nonnye

Fwd=by:=Paula=Isler===4/01/99==2:37pm=====

Fwd to: Nonnye Grant

.....
Yes, send me a copy of what you received and I'll decide what to do. Thanks for all your help, too!!

Fwd=by:=Nonnye=Grant==4/01/99==2:49pm=====

Fwd to: Paula Isler

.....
Will put it in the inter-office mail for you to handle. Thanks. Nonnye

MEMORANDUM

25 1999

February 25, 1999

CWJ

TO: ~~Frank~~ Moses, Division of Communications
FROM: Nonnye Grant, Division of Records and Reporting *nb*
RE: Returned Mail

We have received returned mail from the United States Post Office on the following Company: 1st REQUEST

PEPE'S AMERICAN, INC. - (TD310)

The Post Office returned the mail on the above Company stating the following reason(s):

- Addressee Unknown
- Attempted - Not Known
- Box Closed - No Order
- Forwarding Order Expired
- Insufficient Address
- Moved, Left No Forwarding Address
- No Forward Order on File
- No Mail Receptacle/Vacant
- No Such Person or Number
- No Such Office in State
- No Such Street
- Not at this Address
- Refused
- Return to Sender
- Return for Better Address
- Unable to Forward
- Unable to Locate
- Unclaimed
- Undeliverable as Addressed
- Vacant
- Verification of Address furnished by Post Office

Please furnish us with a current address, both for mail and location. Also, we need to have new phone and fax numbers since they have moved. Should you not be able to get a current address, can staff initiate proceedings to have the Company's certificate canceled?

Copy of returned envelope attached for your information.

/nbg
Attachment(s)

Service Commission
Blvd.
32399-0870



POSTAGE
PAID
PERMIT NO. 100
TAMPA FL 33601

TD310

AUTHORIZED TIME FOR FORWARDING HAS
EXPIRED

Pepe's American, Inc.
7390 S.W. 8th Street
Miami FL 33144-4540

TD

1st Reg 2.25-99