

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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RECORDS AND REPORTING

DATE: DECEMBER 9, 1999

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYÓ)

FROM: DIVISION OF TELECOMMUNICATIONS (ISLER) *Pij*
DIVISION OF LEGAL SERVICES (K. PEÑA; C. BEDELL) *WMP BIC*

RE: DOCKET NO. 991313-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PATS CERTIFICATE NO. 5956 ISSUED TO MARIA AMBROSE FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

AGENDA: 12/21/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\991313.RCM

CASE BACKGROUND

- 12/05/98 - This company obtained PATS Certificate No. 5956.
- 12/10/98 - The 1998 Regulatory Assessment Fee (RAF) Notice was mailed. Payment was due 02/01/99.
- 03/17/99 - The Division of Administration mailed a delinquent letter for the 1998 RAF.
- 11/08/99 - Ms. Ambrose, owner, called staff and stated that she would pay the 1998 and 1999 regulatory assessment fees and request voluntary cancellation of her certificate.
- 11/12/99 - The Commission received a check from the company, which paid the 1998 outstanding balance in full, including

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statutory penalty and interest charges, plus paid the 1999 fee. The company reported no revenues for the period ending 12/31/98. In addition, a letter from the company requested voluntary cancellation of her certificate since she is no longer in the pay telephone business.

- **11/16/99** - This docket was deferred from the Agenda Conference.

Staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant Maria Ambrose a voluntary cancellation of its Pay Telephone Certificate No. 5956?

RECOMMENDATION: Yes. The Commission should grant the company a voluntary cancellation of its pay telephone certificate with an effective date of November 12, 1999. (Isler)

STAFF ANALYSIS: Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

After staff filed its recommendation on November 4, but prior to the November 16 Agenda Conference, the company's payment for the 1998 outstanding regulatory assessment fee, including statutory penalty and interest charges, were received. In addition, the company paid the 1999 fee and requested voluntary cancellation of its certificate.

Accordingly, staff believes the company's request for a voluntary cancellation of its pay telephone certificate should be granted with an effective date of November 12, 1999.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (K. Peña; C. Bedell)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, no other issues remain unresolved and this docket should be closed.