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Section 1 - Division of Records and Reporting (RAR) Completes

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PSC/RAR-15 (Rev. 2/00)

* COMPLETED EVENTS

Case Assignment and Scheduling Record

(RAR) Completes

Docket No. 000353-TC Date Docketed: 03/24/2000 Title: Application for certificate to provide pay telephone service by Chong O. Kim, Inc. d/b/a Quick Trip Food Mart and request for waiver of Rule 25-24.511(5), F.A.C. Company: Chong O. Kim, Inc. d/b/a Quick Trip Food Mart Official Filing Date: Last Day to Suspend: Expiration: Referred to: ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR (RGO) SER WAW ("()" indicates OPR) X Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Program/Module B1(a) Staff Assignments Current CASR revision level Due Dates OPR Staff B Hawkins Previous Current Staff Recommendation 06/29/2000 07/20/2000 Agenda 07/11/2000 08/01/2000 3. PAA Order - Close if No Protest 07/31/2000 08/21/2000 Staff Counsel K Pena, B Keating 5 OCRs (8 9 10 11 12 13 14 15 16 17 18 19 20 21 23 24 25 26 27 28 29 30 Recommended assignments for hearing 31 32 and/or deciding this case: 33 Full Commission X Hearing Examiner Commission Panel 34 35 Staff 36 37 Date filed with RAR: 06/23/2000 38 39 Initials: OPR Staff Counsel 40 Section 3 - Chairman Completes Assignments are as follows: - Prehearing Officer - Hearing Officer(s) Hrg. Staff Commissioners ADM Commissioners

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Section 1 - Division of Records and Repor

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved:

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Date: Pending

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PSC/RAR-15 (Rev. 2/00) * COMPLETED EVENTS

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Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket No. 000353-TC

Date Docketed: 03/24/2000 Title:

Application for certificate to provide pay telephone service by Chong O. Kim, Inc. d/b/a Quick Trip Food Mart and request for waiver of Rule 25-24.511(5), F.A.C.

Company: Chong O. Kim, Inc. d/b/a Quick Trip Food Mart

Official Filing Date: Last Day to Suspend: Expiration: Referred to: ("()" indicates OPR) ADM AFA APP CAF CMP CMU EAG ECR GCL LEG PAI RAR (RGO) SER WAW

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Section 2 - OPR	Completes and returns to RAR	in 10 workdays.	<u>Time Schedule</u>		
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is

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Approved:

Date: 06/19/2000

PSC/RAR-15 (Rev. 2/00)

* COMPLETED EVENTS

STATE OF FLORIDA

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



DIVISION OF TELECOMMUNICATIONS WALTER D'HAESELEER DIRECTOR (850) 413-6600

Public Service Commission

February 14, 2000

Mr. Bill Stewart 8031 Ebersol Road Jacksonville, FL 32216

Dear Mr. Stewart:

This is a follow up to our telephone conversations concerning the cancellation of Mr. Chong O. Kim's Pay Telephone Certificate No. 5966 in the name of Chong O. Kim, Inc. d/b/a Quick Trip Food Mart.

Mr. Kim needs to pay the past due amounts for the regulatory assessment fee. If his check is postmarked in February, he owes \$69.00 for the 1998 fee, penalty, and interest, \$50.00 for the 2000 fee, for a total due of \$119. If the check is postmarked in March, the 1998 amount increases to \$69.50, for a total due of \$119.50.

In addition, to the past due regulatory assessment fee, the company would need to pay the \$500 fine that was assessed in Docket No. 991310-TC which canceled the certificate.

As we discussed, Rule 25-24.511(5), Florida Administrative Code, states:

Only one certificate per applicant will be granted. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled.

Enclosed is a pay telephone application, along with a copy of the above rule. When the application is returned with the \$100 nonrefundable application fee, a cover letter would need to be sent that is requesting a waiver of the rule. Also enclosed is a copy of Chapter 120.542(2), Florida Statutes, which states:

(2) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonostrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal

Mr. Bill Stewart Page 2 February 14, 2000

application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.

To my knowledge, the Commission has not received a request for waiver of Rule 25-24.511, F.A.C., in the past. Therefore, if the Commission denied Mr. Kim's application and rule waiver, the \$100 application fee would not be refunded.

I hope this has been responsive to your inquiry. If you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, and by internet e-mail at pisler@psc.state.fl.us.

Sincerely,

Paula J. Isler, Research Assistant

Paula J. Isler

Bureau of Service Evaluation & Compliance

Enclosures

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.
LILA A. JABER



Division of Records & Reporting Blanca S. Bayó Director (850) 413-6770

Public Service Commission

March 28, 2000

Chong O. Kim Quick Trip Food Mart 576 South Edgewood Avenue Jacksonville, Florida 32205

Re: Docket No. 000353-TC

Dear Mr. Kim:

This will acknowledge receipt of an application for certificate to provide pay telephone service by Chong O. Kim, Inc. d/b/a Quick Trip Food Mart, which was filed in this office on March 24, 2000, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Please make notes as well that Commission Rule 25-22.005(7), F.A.C., requires certificated companies to notify the Commission of any changes in name, telephone, address, or contact person. Should your application be granted by the Commission, you will be expected to comply with this rule by advising us of any changes as they occur.

Division of Records and Reporting Florida Public Service Commission

ORIGINAL

MEMORANDUM

APRIL 5, 2000

RECEIVED-FPSC

00 APR -5 AM 9: 04

RECORDS AND REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (KEATING)

RE:

DOCKET NO. 000353-TC - APPLICATION FOR A PAY TELEPHONE

CERTIFICATE BY CHONG O. KIM d/b/a QUICK TRIP FOOD MART

Attached is an FAW Notice to be issued in the above referenced docket.

BK/jmb

Attachment

cc: Division of Communications

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O4145 APR-58

FPSC-RECORDS/REPORTING

MEMORANDUM

PECEIVED-FPSC

August 11, 2000

RECOURS AND REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PEÑA)

RE:

DOCKET NO. 000353-TC - APPLICATION FOR CERTIFICATE TO PROVIDE PAY TELEPHONE SERVICE BY CHONG O. KIM, INC. D/B/A QUICK TRIP FOOD MART AND REQUEST FOR WAIVER OF RULE 25-

24.511(5), F.A.C.

1479-PAH

Attached is an NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING REQUEST FOR WAIVER OF RULE 25-24.511(5), FLORIDA ADMINISTRATIVE CODE AND GRANTING CERTIFICATE TO PROVIDE PAY TELEPHONE SERVICE, to be issued in the above-referenced docket. (Number of pages in order - 5)

KMP/anc

Attachment

cc: Division of Competitive Services (Isler)

I: 000353.kmp

See 2

1216

MEMORANDUM

SEPTEMBER 11, 2000



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RECORDS AND REPORTING

TO: DIVISION OF RECORDS AND REPORTING

DIVISION OF LEGAL SERVICES (KEATING)

RE:

DOCKET NO. 000353-TC - APPLICATION FOR A PAY TELEPHONE

CERTIFICATE BY CHONG O. KIM d/b/a QUICK TRIP FOOD MART

1613 -CO

Attached is a CONSUMMATING ORDER to be issued in the above referenced docket. (Number of pages in Order - 2)

BK/anc Attachment

cc: Division of Communications

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