

May 25, 1991

To : Commissioners

J. Terry Deason 910369-TC  
Betty Casley  
Berford L. Gunther  
Michael M.K. Wilson

ORIGINAL  
FILE COPY

I am in receipt of your certified letter sent by the Commission and am responding within 20 days as was ordered.

I did not violate Commission Rule 25-24.500 F.A.C., 1990 Annual Report Requirements for Pay Telephone Service Companies. My wife was present when I filled out the report and she personally mailed it. Please check your records again.

If you cannot find it, I will fill another one out and send it certified to make sure you receive it.

Your attention to this matter will be greatly appreciated.

- ACK
- AFA
- APP
- CAF
- CMU
- CTR
- EAG
- LEG
- LIN
- OPC
- RCH
- SEC
- WAS
- OTH

DOCUMENT NUMBER-DATE

05493 MAY 31 1991

Sincerely,  
Thomas H. Doult

REC-RECORDS/REPORTING

NEW!

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Show Cause Proceedings Against )  
 the following Companies for Violation of )  
 Commission Rule 25-24.520, F.A.C., 1990 )  
 Annual Report Requirements for Pay )  
 Telephone Service Companies. )

TERRACE PLAZA MOTEL & APARTMENTS )	DOCKET NO. 910365-TC
THE AMERICAN COMMUNICATIONS GROUP OF )	
SOUTH FLORIDA, INC. )	DOCKET NO. 910366-TC
THE PAY TELEPHONE COMPANY, INC. )	DOCKET NO. 910367-TC
THE SHIRTERY )	DOCKET NO. 910368-TC
THOMAS L. DOUTT )	DOCKET NO. 910369-TC
VICTORIANO GONZALEZ )	DOCKET NO. 910370-TC
VINCENT NAPOLI )	DOCKET NO. 910372-TC
WAYNE H. GRADDICK )	DOCKET NO. 910373-TC
WESLEY J. BOWEN )	DOCKET NO. 910374-TC
SUNNY STOP MARKET )	DOCKET NO. 910378-TC
_____ )	ORDER NO. 24516
	ISSUED: 5/13/91

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON  
 BETTY EASLEY  
 GERALD L. GUNTER  
 MICHAEL MCK. WILSON

ORDER INITIATING SHOW CAUSE PROCEEDINGS

DEMAND FOR RESPONSE WHY A FINE SHOULD NOT BE IMPOSED  
OR IN THE ALTERNATIVE, WHY CERTIFICATE SHOULD NOT  
BE CANCELLED FOR FAILURE TO FILE ANNUAL REPORTS

BY THE COMMISSION:

Rule 25-24.520, Florida Administrative Code, requires the filing of annual reports with the Commission, due January 31st. As certificated Pay Telephone Service (PATS) providers, the companies listed in the caption of this Order are subject to the jurisdiction of this Commission and have failed to file the required reports in a timely manner. The subject companies and their respective certificate numbers are as follows:

DOCUMENT NUMBER-DATE  
 04672 MAY 13 1991  
 SC-RECORDS/REPORTING

<u>Name</u>	<u>Certificate No.</u>
TERRACE PLAZA MOTEL & APARTMENTS	1566
THE AMERICAN COMMUNICATIONS GROUP OF SOUTH FLORIDA, INC.	1458
THE PAY TELEPHONE COMPANY, INC.	1607
THE SHIRTERY	1159
THOMAS L. DOUTT	694
VICTORIANO GONZALEZ	2231
VINCENT NAPOLI	2083
WAYNE H. GRADDICK	2262
WESLEY J. BOWEN	1628
SUNNY STOP MARKET	826

Pursuant to Section 364.285, Florida Statutes, this Commission is authorized to levy a fine of up to \$25,000 for each violation of a statute, rule or order subject to the Commission's jurisdiction or to revoke a certificate of public convenience and necessity. Accordingly, we find it appropriate to require each PATS company listed above to show cause in writing why it should not be fined \$250, or in the alternative, have its certificate revoked for failure to file its 1990 annual report as required by Rule 25-24.520. All responses to this Order to Show Cause shall be filed in conformance with Rules 25-22.036(7)(a) and 25-22.037(1), Florida Administrative Code. Each Company's response shall contain specific statements as to fact and law.

If any PATS company fails to respond to this show cause in the form and within the time limits prescribed, the facts alleged in this Order shall be deemed true and shall constitute an admission of guilt of the violation of Rule 25-24.520 and a waiver of the right to a hearing. If no response is received from a company, we find it appropriate that no fine be imposed and that the company's certificate is hereby cancelled.

Any company desiring to avoid the potential of either a fine or revocation of its certificate as a result of this show cause order may request voluntary cancellation of its certificate. If a company requests cancellation of its certificate, this show cause order is withdrawn as to that party. A request for cancellation pursuant to this Order shall be filed within the time limits set forth herein. A request for cancellation of a certificate must