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FLORIDA PUBLIC SERVICE COMMISSION
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MEMORANDUM

March 26, 1998

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

FROM: DIVISION OF COMMUNICATIONS (BIEGALSKI) KB
DIVISION OF LEGAL SERVICES (BOWMAN) MCB
DIVISION OF ADMINISTRATION (LAKE)

RE: DOCKET NO. 971276-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 3614 ISSUED TO OTTO P. WILLIAMS FOR VIOLATION OF RULE 25-4.0161, FLORIDA ADMINISTRATIVE CODE, REGULATORY ASSESSMENT FEES.

AGENDA: 04/07/98 - REGULAR AGENDA - PROPOSED AGENCY ACTION- INTERESTED PARTIES MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\971276TC.RCM

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission acknowledge Otto P. Williams' letter withdrawing his protest in this docket and make Order No. PSC-97-1451-FOF-TC final and effective?

RECOMMENDATION: Yes. The Commission should acknowledge Otto P. Williams' letter withdrawing its protest and make Order No. PSC-97-1451-TC final and effective as of the date of the Commission's vote on this recommendation. (Biegalski)

STAFF ANALYSIS: On October 23, 1997, staff filed a recommendation to cancel Mr. Williams' certificate for nonpayment of regulatory assessment fees for the years 1993 and 1996. By Notice of Proposed Agency Action Order No. PSC-97-1451-FOF-TC (PAA Order), issued November 18, 1997, in Docket No. 971276-TC, the Commission approved staff's recommendation. On December 8, 1997, Mr. Williams timely filed a letter protesting the PAA Order and requesting a hearing on this matter.

DOCUMENT NUMBER DATE

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FILED

DOCKET NO. 971276-TC
DATE: March 26, 1998

On February 20, 1998, Mr. Williams filed a letter notifying the Commission that he wished to withdraw his protest of the PAA Order. In his letter, Mr. Williams stated that he will forward the \$216.00 for the past due regulatory assessment fees, along with statutory penalties and interest and the \$500 fine amount assessed in Docket No. 971276-TC. Staff is in receipt of the \$716.00. Because Mr. Williams withdrew his protest and no other protests to the PAA Order were filed, there are no issues for the Commission to address in this docket. Accordingly, the Commission should acknowledge that Mr. Williams has withdrawn his protest and make Order No. PSC-97-1451-POF-TC final and effective as of the date of the Commission's vote on this recommendation.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, no further issues remain for the Commission to address. Therefore, this docket should be closed.
(Bowman)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, no further issues remain for the Commission to address. Therefore, this docket should be closed.