

MAXWELL SYSTEMS, INC. 02-92
1933 ARROWHEAD DR., NE.
ST. PETERSBURG, FL 33703
PHONE 813-526-9006

5829

63-75100484
631

DATE 1-8-98

PAY TO THE ORDER OF Florida Public Service Commission

\$ 100.00

One Hundred And 00/100

DOLLARS

FIRST UNION NATIONAL BANK
OF FLORIDA

ST. PETERSBURG, FLORIDA 33710
24 HOUR INFORMATION SERVICE
1-800-735-1012

ACK SETTLEMENT OFFER - REGULATORY ASSESSMENT
~~FOR PACKET #~~ 981173-TC, PSC-99-0040-FOF TC

AFA Certificate #
2837

L. E. Maxwell

AP [REDACTED]

CAF _____

CMU 1

CTR _____

EAG _____

LEG 1

LIN _____

OPC _____

RCH _____

SEC 1

WAS _____

OTH _____

DOCUMENT NUMBER-DATE

00743 JAN 20 98

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 2837
issued to Lynn E. Maxwell, Jr.,
for violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees; Telecommunications
Companies.

DOCKET NO. 981173-TC
ORDER NO. PSC-99-0040-FOF-TC
ISSUED: January 5, 1999

The following Commissioners participated in the disposition of
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER ACCEPTING SETTLEMENT OFFER

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service
Commission that the action discussed herein is preliminary in
nature and will become final unless a person whose interests are
substantially affected files a petition for a formal proceeding,
pursuant to Rule 25-22.029, Florida Administrative Code.

Lynn E. Maxwell, Jr. currently holds Certificate of Public
Convenience and Necessity No. 2837, issued by the Commission on
November 2, 1991, authorizing the provision of pay telephone
service. This docket was opened to cancel Lynn E. Maxwell, Jr.'s
certificate, unless Lynn E. Maxwell, Jr. paid its delinquent 1997
regulatory assessment fees, which were due by January 30, 1998,
along with statutory penalties and interest for the years 1994 and
1997. After the docket was opened, but prior to staff filing a
recommendation, Lynn E. Maxwell, Jr. called and advised he wanted
to keep his certificate, would pay the past due amount, and make a
settlement proposal. This company has since paid all past due

ORDER NO. PSC-99-0040-FOF-TC
DOCKET NO. 981173-TC
PAGE 2

charges, including penalties and interest, submitted a proposed settlement offer of \$100, and agreed to take the necessary corrective action. When the settlement is received, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Lynn E. Maxwell, Jr. shall pay all past due regulatory assessment fees, including statutory penalties and interest and a \$100 settlement offer to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within five business days from the date this Order becomes final. The fine shall be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed upon payment of the settlement or cancellation of the certificate.

By ORDER of the Florida Public Service Commission, this 5th day of January, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: /s/ Kay Flynn
Kay Flynn, Chief
Bureau of Records

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-850-413-6770.

(S E A L)
CBW

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 26, 1999.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date.

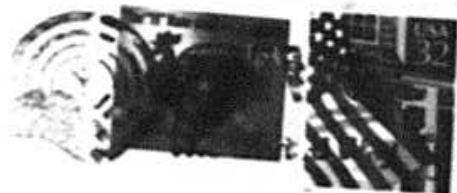
Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The

ORDER NO. PSC-99-0040-FOF-TC
DOCKET NO. 981173-TC
PAGE 4

notice of appeal must be in the form specified in Rule 9.900(a),
Florida Rules of Appellate Procedure.

MAXWELL SYSTEMS INC.
1933 Arrowhead Drive N.E.
St. Petersburg, FL 33703



DEPOSIT

DATE

D061

JAN 14 1999

99 JAN 13 M 13 24

MAILING

FLORIDA Public Service Commission
2540 SHUMARD OAK BLVD.
TALLAHASSEE, FL. 32399-0850

5829

\$100.00 - Fine

TE476

RAR
Per 20 Is 2er

32399+7013

