

## 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., 1989	)	
Annual Report Requirements for Pay	)	
Telephone Service Companies.	)	
	)	
LOS VILLARESOS	)	DOCKET NO. 900430-TC
MAGIC MILE DAIRY QUEEN, INC.	)	DOCKET NO. 900434-TC
O'BRIEN COMPANY	)	DOCKET NO. 900440-TC
PAYTEL CAPITAL, INC.	)	DOCKET NO. 900445-TC
RUTH L. SHETTLE	)	DOCKET NO. 900471-TC
	)	
	)	ORDER NO. 23532
	)	ISSUED: 9-24-90

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 FRANK S. MESSERSMITH

ORDER CANCELLING CERTIFICATES AND CLOSING DOCKETS

BY THE COMMISSION:

The Pay Telephone Service (PATS) providers referenced in the caption of this Order were ordered to show cause why they should not be fined for failure to file their Annual Reports as required by Rule 25-24.520, Florida Administrative Code. In the alternative, these PATS providers were offered the option of voluntarily cancelling their respective Certificates of Public Necessity and Convenience with no imposition of a fine. The above referenced PATS providers have elected to cancel their Certificates and cease providing pay telephone service.

We, therefore, approve the following requests to cancel the certificates of public convenience and necessity to provide pay telephone service of:

<u>Name</u>	<u>Certificate No.</u>
LOS VILLARESOS	353
MAGIC MILE DAIRY QUEEN, INC.	2332
O'BRIEN COMPANY	2138
PAYTEL CAPITAL, INC.	2395
RUTH L. SHETTLE	1973

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and the same are hereby cancelled. Each company which has not already done so is directed to return its certificate forthwith to the Commission.

Our cancellation of the certificates and the closing of these dockets in no way diminishes the above companies' obligation to pay applicable delinquent regulatory assessment fees.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the above certificates of public convenience and necessity are cancelled effective upon the issuance of this Order. It is further

ORDERED that each company, which has not already done so, is to return its certificate and remit any and all outstanding Regulatory Assessment Fees due the Florida Public Service Commission. It is further

ORDERED that these dockets be and the same are hereby closed.

By ORDER of the Florida Public Service Commission, this 24th day of SEPTEMBER, 1990.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

JKA

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer 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 after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.