

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 5037
issued to Wayne Laurents for
violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees; Telecommunications
Companies.

DOCKET NO. 991129-TC
ORDER NO. PSC-00-0067-FOF-TC
ISSUED: January 7, 2000

The following Commissioners participated in the disposition of
this matter:

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

ORDER CANCELING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

Wayne Laurents (Mr. Laurents) currently holds Certificate of
Public Convenience and Necessity No. 5037, issued by the Commission
on January 7, 1997, authorizing the provision of Pay Telephone
service (PATS). The Division of Administration advised our staff
by memorandum that Mr. Laurents had not paid the Regulatory
Assessment Fees (RAFs) required by Section 364.336, Florida
Statutes, and Rule 25-4.0161, Florida Administrative Code, for the
year 1998. Also, accrued statutory penalties and interest charges
for late RAFs payments for the year 1998 had not been paid.

Pursuant to Section 364.336, Florida Statutes, certificate
holders must pay a minimum annual RAF of \$50 if the certificate was
active during any portion of the calendar year. Pursuant to Rule
25-4.0161 (2), Florida Administrative Code, the form and applicable
fees are due to the Florida Public Service Commission by January 30
of the subsequent year. All entities that apply for certification
receive a copy of our rules governing Pay Telephone (PATS) service.
All applicants must attest that these rules have been received and

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understood by the applicant and an affidavit must be attached to the application in order for the application to be processed.

By Order No. PSC-99-2090-PAA-TC, issued on October 22, 1999, we imposed a \$500 fine and required payment of the fine and fees or Mr. Laurents' certificate would be canceled. On November 2, 1999, Mr. Laurents contacted our staff and advised that he would pay the past due amount in full, plus the 1999 RAFs, and requested a voluntary cancellation of his certificate. of the certificate. On November 3, 1999, we received the Mr. Laurents' check for the past due 1998 RAFs, including statutory penalties and interest charges, and the 1999 RAFs, along with a letter requesting voluntary cancellation of his certificate.

Mr. Laurents has complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of his request for cancellation of his PATS certificate and by submitting his RAFs for the year 1998. Accordingly, we find it appropriate to cancel PATS Certificate No. 5037, effective November 3, 1999. Mr. Laurents shall return his certificate to this Commission.


Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Wayne Laurents' Certificate No. 5037 to provide Pay Telephone services is hereby canceled, effective November 3, 1999. It is further

ORDERED that Wayne Laurents shall return his certificate to this Commission. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission this 7th day of January, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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.

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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 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.