

M E M O R A N D U M

February 26, 1998

RECEIVED

FEB 26 1998

340  
FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *VP/MB*

RE: DOCKET NOS. 980086-TC, 980095-TC, 980096-TC, 980100-TC  
AND 980111-TC - APPLICATIONS FOR PAY TELEPHONE  
CERTIFICATES.

98-0339-FOF-TC

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING CERTIFICATES TO PROVIDE PAY TELEPHONE SERVICE to be issued in the above referenced docket. (Number of pages in order - 4)

KMP/js  
Attachment  
cc: Division of Communications  
I: 980111.kmp

*boxed - 11/4  
mailed = 1/4*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for pay  
telephone certificates.

Rogher Imports Corporation  
Intelcom, Inc.  
Suncoast Payphones, Inc.  
David Gene Retherford  
Pride Payphones, Inc.

DOCKET NO. 980086-TC  
DOCKET NO. 980095-TC  
DOCKET NO. 980096-TC  
DOCKET NO. 980100-TC  
DOCKET NO. 980111-TC

ORDER NO. PSC-98-0339-FOF-TC  
ISSUED: February 27, 1998

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 GRANTING CERTIFICATES TO  
PROVIDE PAY TELEPHONE SERVICE

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.

The entities listed below have applied for certificates to  
provide pay telephone service pursuant to Section 364.3375, Florida  
Statutes. Upon consideration of their applications, it appears to  
be in the public interest to grant the following pay telephone  
certificates to the entities listed below.

DOCUMENT NUMBER-DATE

02726 FEB 27 88

FPSC-RECORDS/REPORTING

ORDER NO. PSC-98-0339-FOF-TC  
DOCKETS NOS. 980086-TC, 980095-TC, 980096-TC, 980100-TC,  
980111-TC  
PAGE 2

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NUMBER</u>
Rogher Imports Corporation	5589
Intelcom, Inc.	5598
Suncoast Payphones, Inc.	5599
David Gene Retherford	5590
Pride Payphones, Inc.	5591

If this Order becomes final and effective, it shall serve as each entity's certificate. It should, therefore, be retained by these entities as proof of their certification.

Non-local exchange company pay telephone service providers are subject to Chapter 25-24, Florida Administrative Code, Part XI, Rules Governing Pay Telephone Service Provided by Other Than Local Exchange Telephone Companies. They are also required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4, Florida Administrative Code.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant, to the entities listed herein, certificates to provide pay telephone service, subject to the terms and conditions specified in the body of this Order. It is further

ORDERED that this Order shall serve as these entities' certificates and they should retain this Order as proof of their certification. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

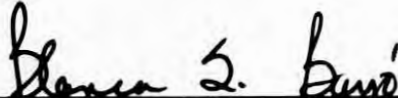
ORDERED that, if a protest is filed as to the certification of any particular entity or entities, that protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDER NO. PSC-98-0339-FOF-TC  
DOCKETS NOS. 980086-TC, 980095-TC, 980096-TC, 980100-TC,  
980111-TC  
PAGE 3

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, these Dockets shall be closed.

By ORDER of the Florida Public Service Commission, this 27th day of February, 1998.

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

KMP

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 and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), 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 March 20, 1998.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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,

ORDER NO. PSC-98-0339-FOF-TC

DOCKETS NOS. 980086-TC, 980095-TC, 980096-TC, 980100-TC,  
980111-TC

PAGE 5

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.