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Tuesday, December 15, 1998

DEPOSIT DATE
D049# DEC 22 1998

Florida Public Service Commission
2540 Shumard Oaks Blvd.
Tallahassee, FL 32399-0850
Rem: Cert # 3408

Larry Rutan
Zephyrhills Cinema 6
6848 Gall Blvd.
Zephyrhills, Fl. 33541

980812

Dear Sirs,

The enclosed check # 1085 for \$100.00 is for Docket # 98012TC and Order # 981553ASTC.
Please apply this monies to that account.

Thank You,



Larry Rutan

- ACK _____
- AEA _____
- APP _____
- CAF _____
- CMU 1 _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS _____
- OTW _____

DOCUMENT NUMBER-DATE
14455 DEC 22 86
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RAR
P202a JS200

ZEPHYRHILLS CINEMA 6 09-82
6848 Gall Blvd.
ZEPHYRHILLS, FLORIDA 33541
(813) 782-2222

NATIONS BANK
Zephyrhills Office
Zephyrhills, FL
63-27/631

1085

12/14/1998

TO THE ORDER OF Florida Public Service Commission \$**100.00

One Hundred and 00/100***** DOLLARS

Florida Public Service Commiss
2540 Shumard Oaks Blvd.
Tallahassee, Fl. 32399-0850


AUTHORIZED SIGNATURE

MEMO Doc #98012TC/Order#981553ASTC

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Larry Rutan



RAR
Paula J. Fisher

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 3408
issued to Zephyrhills Cinema 6
for violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees.

DOCKET NO. 980812-TC
ORDER NO. PSC-98-1553-AS-TC
ISSUED: November 23, 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.

ORDER APPROVING SETTLEMENT

Zephyrhills Cinema 6 (Zephyrhills Cinema) currently holds Certificate of Public Convenience and Necessity No. 3408, issued by the Commission on August 25, 1993, authorizing the provision of pay telephone service. By memorandum dated June 29, 1998, the Division of Administration advised our staff that Zephyrhills Cinema 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 1997, nor statutory penalties and interest charges for late RAFs payments for the years 1993, 1994, 1995, and 1997. The RAF form was mailed to Zephyrhills Cinema in December, 1997, for the period of January 1, 1997, through December 31, 1997. 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. Our correspondence regarding the RAFs was signed for and delivered to Zephyrhills Cinema on December 19, 1997. On July 29, 1998, we received the minimum \$50 for 1997 RAFs; however Zephyrhills Cinema did not pay statutory penalties and interest charges for the years 1993, 1994, 1995, and 1997.

This docket was deferred from the September 1, 1998 Agenda Conference at the request of Zephyrhills Cinema. On September 14, 1998, in recognition of its apparent violation of Rule 25-4.0161, Florida Administrative Code Zephyrhills Cinema paid all the past

ORDER NO. PSC-98-1553-AS-TC
DOCKET NO. 980812-TC
PAGE 2

due statutory penalties and interest charges, and submitted a settlement offer. Zephyrhills Cinema agreed to pay future regulatory assessment fees in a timely manner and contribute \$100 to the State General Revenue Fund.

We believe that the terms of the settlement offer represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. The contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the \$100 contribution, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Zephyrhills Cinema 6's settlement proposal summarized in the body of this Order is hereby approved. It is further

ORDERED that this docket shall remain open pending receipt of the \$100 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that upon receipt of the \$100 contribution, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 23rd day of November, 1998.

/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)

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.

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.

Zephyrhills Cinema 6

6848 Gall Blvd
Zephyrhills, FL 33541

**We Treat
You Right!**



FLA PUBLIC SERVICE COMMISSION
2540 SHUMANO OAK BLVD.
TALLAHASSEE, FL. 32399

DOCKET # 98012TC

32399+7013

