

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3905 issued to Mark D. Ridley for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees.

DOCKET NO. 971279-TC
DATE: AUGUST 3, 1999

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-99-0520-PCO-TP, the Staff of the Florida Public Service Commission files its Prehearing Statement.

- A. All Known Witnesses: Staff will sponsor Kelly Biegalski as a witness on all issues for the hearing in this docket.
- B. All Known Exhibits: Below is a tentative list of exhibits which Staff intends to utilize in this proceeding. Staff reserves the right to proffer additional exhibits at the hearing in this docket.

<u>Witness</u>	<u>I. D. No.</u>	<u>Description</u>
Kelly Biegalski	(KB-1)	PAA Order Granting Mr. Ridley's Certificate: Order No. PSC-94-1436-FOF-TC
	(KB-2)	6/3/99 Notice to Mr. Ridley of His Delinquent 1996 RAF
	(KB-3)	Mr. Ridley's E-mail Protest of PAA Order No. 97-1454-FOF-TC.

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 FPSC-RECORDS/REPORTING

<u>Witness</u>	<u>I. D. No.</u>	<u>Description</u>
	<u>(KB-4)</u>	PAA Order No. PSC-97-1454-FOF-TC Canceling Mr. Ridley's Certificate
	<u>(KB-5)</u>	6/1/98 Letter from Ms. Biegalski to Mr. Ridley
	<u>(KB-6)</u>	7/27/98 Letter from Mr. William Cox to Mr. Ridley
	<u>(KB-7)</u>	Spreadsheet of RAFs Owed by Mr. Ridley
	<u>(KB-8)</u>	Statute and Rules on Pay Telephone Service

C. Staff's Statement of Basic Position:

Mr. Mark D. Ridley's Pay Telephone Certificate No. 3905 should be canceled for Mr. Ridley's failure to pay regulatory assessment fees (RAFs) in 1996. He is also delinquent on his RAFs for 1997 and 1998. Furthermore, Mr. Ridley has failed to participate in any way in this proceeding following his December 4, 1997, E-mail protest of Order No. PSC-97-1454-FOF-TC, which was a Proposed Agency Action (PAA) Order to cancel his certificate. In addition, staff believes that Mr. Ridley has never provided pay telephone service in Florida since obtaining his certificate on December 18, 1994. Therefore, it appears that Mr. Ridley has consistently failed to meet the requirements of Chapter 364, Florida Statutes, and the Commission's rules pertaining to pay telephone service. Accordingly, Mr. Ridley's Pay Telephone Certificate No. 3905 should be canceled.

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D.-G. Staff's Position on the Issues:

ISSUE 1: Should the Commission impose on Mr. Mark D. Ridley a \$500 fine and require payment of past due regulatory assessment fees, including statutory penalties and interest, or cancel Mr. Ridley's pay telephone certificate no. 3905 for his alleged failure to pay regulatory assessment fees?

POSITION: Same as basic position.

ISSUE 2: Should this docket be closed?

POSITION: Yes, this docket should be closed when the Commission's order to cancel Mr. Ridley's certificate becomes final.

H. Stipulation

Staff is not aware of any issues that have been stipulated at this time.

I. Pending Motions:

Staff has no pending motions at this time.

RESPECTFULLY SUBMITTED,



WILLIAM P. COX
Staff Counsel

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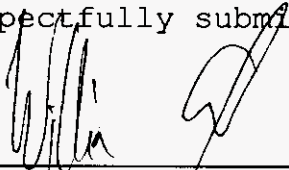
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FILED: AUGUST 3, 1999

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's
Prehearing Statement has been furnished by U.S. Mail this 3rd day
of August, 1999, to the following:

Mr. Mark D. Ridley
PSC 476 Box 577t
Fpo: Sasebo 96322

Respectfully submitted,



WILLIAM P. COX
Staff Counsel

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