

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 2532
issued to Talton
Telecommunications Corporation
for violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees; Telecommunications
Companies.

DOCKET NO. 990905-TC
ORDER NO. PSC-99-2096-FOF-TC
ISSUED: October 22, 1999

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:

Talton Telecommunications Corporation (Talton) currently holds Certificate of Public Convenience and Necessity No. 2532, issued by the Commission on August 8, 1990, authorizing the provision of Pay Telephone service (PATS). The Division of Administration advised our staff by memorandum that Talton 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 years 1992, 1994, 1997, and 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 PATS service. All applicants

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FPS-REPORTING

ORDER NO. PSC-99-2096-FOF-TC
DOCKET NO. 990905-TC
PAGE 2

must attest that these rules have been received and understood by the applicant and an affidavit must be attached to the application in order for the application to be processed.

On August 3, 1999, Susan Davis Morley, attorney, contacted our staff and advised that Talton would pay the past due amount in full and requested voluntary cancellation of Talton's certificate. Talton subsequently paid all the past due charges on August 23, 1999, and reaffirmed its request for cancellation of its certificate. Talton has complied with the provision of Rule 25-24.514(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its PATS certificate and by submitting its RAFs for the year 1998, along with statutory penalties and interest charges for 1998. Accordingly, we find it appropriate to cancel PATS Certificate No. 2532, effective August 23, 1999.

Talton shall return its certificate to this Commission. A RAFs Return notice for 1999 will be mailed to Talton. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the year 1999 shall relieve Talton from its obligation to pay RAFs for 1999.

Based on the foregoing, it is

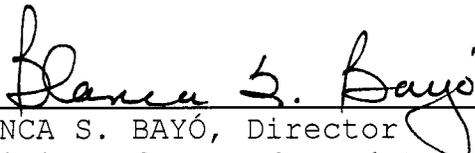
ORDERED by the Florida Public Service Commission that Talton Telecommunications Corporation' Certificate No. 2532 to provide Pay Telephone services is hereby canceled, effective August 23, 1999. It is further

ORDERED that Talton Telecommunications Corporation shall return its certificate to this Commission and remit Regulatory Assessment Fees for the year 1999. It is further

ORDERED that this Docket is closed.

ORDER NO. PSC-99-2096-FOF-TC
DOCKET NO. 990905-TC
PAGE 3

By ORDER of the Florida Public Service Commission, this 22nd
day of October, 1999.



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.

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.

MEMORANDUM

October 22, 1999

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RECORDS AND REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *KMP BK*

RE: DOCKET NO. 990905-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 2532 ISSUED TO TALTON TELECOMMUNICATIONS CORPORATION FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

2096-FOF

Attached is an ORDER CANCELING PAY TELEPHONE CERTIFICATE to be issued in the above-referenced docket. (Number of pages in order - 3)

KMP/sa
Attachment
cc: Division of Communications
I:990905v.kmp

See 152

passed 11/0.