

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Determination by Florida) DOCKET NO. 940748-TC
Public Service Commission of) ORDER NO. PSC-97-0521-FOF-TC
appropriate method of refund for) ISSUED: May 7, 1997
overcharges by London)
Communications, Inc. on)
intrastate long distance calls)
placed from pay telephones.)
_____)

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
SUSAN F. CLARK
J. TERRY DEASON
JOE GARCIA
DIANE K. KIESLING

ORDER CLOSING DOCKET

BY THE COMMISSION:

London Communications, Inc. (London) has been a certificated pay telephone provider since December 4, 1989. On November 30, 1993, our staff placed a direct dialed credit card from a London pay telephone while performing routine evaluations. As a result of this call, it was revealed that London was charging in excess of the rate caps required by Order Nos. 24101 and 25312, issued in 1991.

According to the information received from London, the overcharging occurred starting in September, 1993. London had been charging a \$1.00 surcharge on 0+ interLATA and intraLATA calls when it should have only charged \$.25 pursuant to Order Nos. 24101, 25312, and PSC-93-0896-AS-TP. London improperly charged \$1.00 instead of \$.25 on 11,292 interLATA and intraLATA calls in Florida between September, 1993, and April, 1994. The amount of the overcharge totalled \$8,469. After correspondence with the Commission in April, 1994, London corrected its rates.

As a result of London's violation of our orders, we issued two orders. First, Order No. PSC-94-1077-FOF-TC (Refund Order), issued September 1, 1994, required that London refund those customers who were overcharged through the company's violations of our orders. Second, Order No. PSC-94-1091-FOF-TC (Show Cause Order), issued

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September 6, 1994, required London to show cause in writing why it should not be fined \$5,000 for charging in excess of the rate caps established by our orders.

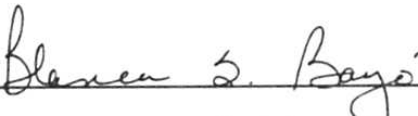
London neither protested the Refund Order nor responded in writing to the Show Cause Order. The Refund Order has therefore become final, and London is deemed to have admitted to the allegations contained in the Show Cause Order. On October 31, 1994, London paid the \$5,000 fine in compliance with the Show Cause Order. On March 21, 1997, London notified us of its completion of the requirements of the Refund Order. We believe that London has supplied sufficient evidence of its compliance with the requirements of the Refund and Show Cause Orders.

Upon consideration, we acknowledge London's completion of the requirements of the Refund and Show Cause Orders. Since no further matters remain for us to address, this docket shall be closed.

Based on the foregoing, it is

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 7th day of May, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

WPC

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.