

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Ramcom Group, Inc. for violation of Rules 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required, and 25-4.043, F.A.C., Response to Commission Staff Inquiries.

DOCKET NO. 961480-TI
ORDER NO. PSC-97-0809-FOF-TI
ISSUED: July 7, 1997

The following Commissioners participated in the disposition of this matter:

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

FINAL ORDER DETERMINING FINE

BY THE COMMISSION:

I. BACKGROUND

By Order No. PSC-97-0228-FOF-TI, issued February 26, 1997, we initiated proceedings to require Ramcom Group to show cause why we should not fine Ramcom up to \$25,000 per day for providing debit card service without a certificate and not responding to our staff's inquiries. The Post Office subsequently returned to us the certified copy of the Order to Show Cause.

Our staff has been unsuccessful in obtaining a new address or telephone number for Ramcom Group. This Order addresses the appropriate fine for Ramcom Group's rule violations.

II. DISCUSSION

Our staff obtained a debit card identified as "GlobalTel Debit Card." On July 10, 1996, our staff wrote Ramcom Group, Inc. (Ramcom), requesting information about its Florida operations, and advising that certification may be required.

DOCUMENT NUMBER-DATE

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After receiving our staff's letter, a Ramcom representative called on July 15, 1996, and discussed its operations. Based on Ramcom's description of its operations, our staff advised Ramcom that it appeared it must become certificated. That same day, our staff mailed the company an application.

Ramcom did not return the application; therefore, our staff wrote the company a certified letter on August 13, 1996. On September 11, 1996, the U. S. Postal Service returned the certified letter and marked it "Returned to Sender - Unclaimed." In addition, "Out of business - 3295 HB" was handwritten on the envelope. On that same day, our staff obtained a different address for Ramcom from the Division of Corporations, and wrote the company another certified letter. The U. S. Postal Service delivered the certified letter on September 19, 1996. Ramcom Group never responded to our staff's letter or completed and returned the application.

On February 26, 1997, we issued Order No. PSC-97-0228-FOF-TI, requiring Ramcom to show cause why we should not fine Ramcom up to \$25,000 per day for violations of Rules 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required, and 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries. The Post Office returned to us the certified copy of the Order on March 25, 1997, and marked it "Returned to Sender" with no other explanation. Our staff called Directory Assistance on May 9, 1997, and asked for a listing for Ramcom Group, Inc. and Marcelo E. Faure, the Ramcom Group representative with whom staff spoke. Directory Assistance informed our staff it did not have a listing for either. In addition, on May 23, 1997, our staff searched the internet concerning Ramcom, but was unsuccessful in obtaining any information.

III. CONCLUSION

In previous dockets involving companies operating without a certificate and not responding to our staff's inquiries, fines and settlements have ranged up to \$40,714. Therefore, in view of Ramcom Group's failure to respond to the certified copy of the Show Cause Order No. PSC-97-0228-FOF-TI and our staff's inquiries, we believe a fine of \$25,000 is appropriate. The fine amount shall be paid to the Commission to be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Chapter 364.285(1), Florida Statutes. Upon receipt of the fine or referral to the Comptroller's Office for further collection efforts, this docket shall be closed.

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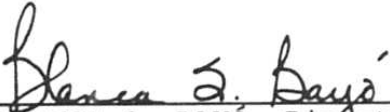
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Ramcom Group, Inc. is hereby fined in the amount of \$25,000 for its violations of Rules 25-24.470 and 25-4.043, Florida Administrative Code. It is further

ORDERED that the fine shall be paid to the Commission to be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Chapter 364.285(1), Florida Statutes, within 30 days of the date this Order becomes final. It is further

ORDERED that this docket shall be closed upon payment of the fine or referral by the Commission to the Comptroller's Office for further collection efforts.

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



BLANCA S. BAYO, Director
Division of Records and Reporting

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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.