

[Handwritten initials]

FLORIDA PUBLIC SERVICE COMMISSION

Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0850

MEMORANDUM

SEPTEMBER 21, 1989

TO : DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF COMMUNICATIONS [REITH, GREER] *[Handwritten: 526 RNT]*
DIVISION OF LEGAL SERVICES [CROSBY] *[Handwritten: N/C]*

RE : DOCKET NOS. - 890556-TI, 890557-TI, 890558-TI, 890560-TI,
890561-TI, 890562-TI, 890563-TI, 890564-TI, 890565-TI,
890566-TI, 890570-TI, 890575-TI, 890576-TI, 890577-TI, 890611-TI
- INITIATION OF SHOW CAUSE PROCEEDING FOR FAILURE TO FILE 1988
ANNUAL REPORTS

AGENDA : OCTOBER 3, 1989 - CONTROVERSIAL - PARTIES MAY PARTICIPATE -
ISSUE 5 IS PROPOSED AGENCY ACTION

PANEL : FULL COMMISSION

CRITICAL DATES : NONE

ISSUE AND RECOMMENDATION SUMMARY

ISSUE i: Should Executive Suites of Ft. Lauderdale (Executive Suites) be required to show cause why they should not be fined \$2,000 for failure to file the required 1988 IXC annual report within the prescribed time limit which is in violation of Commission Rule 25-24.480?

RECOMMENDATION: Yes, Executive Suites should be required to show cause why they should not be fined \$2,000 for failure to comply with Commission Rule 25-24.480.

DOCUMENT NUMBER-DATE
09520 SEP 21 1989
FPSC-RECORDS/REPORTING

ISSUE 2: Should Alltelco of Florida, Inc. (Alltelco) be required to show cause why they should not be fined \$4,000 for failure to file the required 1988 IXC annual report within the prescribed time limit which is in violation of Commission Rule 25-24.480?

RECOMMENDATION: Yes, Alltelco should be required to show cause why they should not be fined \$4,000 for failure to comply with Commission Rule 25-24.480.

ISSUE 3: Should Chatco Communications, Inc. (Chatco) be required to show cause why they should not be fined \$4,000 for failure to file the required 1988 IXC annual report within the prescribed time limit which is in violation of Commission Rule 25-24.480?

RECOMMENDATION: Yes, Chatco should be required to show cause why they should not be fined \$4,000 for failure to comply with Commission Rule 25-24.480.

ISSUE 4: Should 800 Telpatch Service, Inc. (800 Telpatch) be required to show cause why they should not be fined \$4,000 for failure to file the required 1988 IXC annual report within the prescribed time limit which is in violation of Commission Rule 25-24.480?

RECOMMENDATION: Yes, 800 Telpatch should be required to show cause why they should not be fined \$4,000 for failure to comply with Commission Rule 25-24.480.

ISSUE 5: Should the Commission cancel 800 Telpatch Service, Inc.'s Certificate of Public Convenience and Necessity?

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RECOMMENDATION: Yes, the Commission should cancel Certificate No. 78 which was issued to 800 Telpatch Service, Inc. on June 21, 1984.

ISSUE 6: Should the Commission fine Corporate Executive Offices, Inc. (CEO) \$10,000 and cancel their certificate for violation of Commission Rule 25-24.480?

RECOMMENDATION: No, staff recommends the Commission only fine CEO \$2,000 for violation of Commission Rule 25-24.480 which requires interexchange carriers to file an annual report with the Commission by January 31st of each year.

ISSUE 7: Should the Commission fine Metro Line, Inc. (Metro Line) \$10,000 and cancel their certificate for violation of Commission Rule 25-24.480?

RECOMMENDATION: No, staff recommends the Commission only fine Metro Line \$2,000 for violation of Commission Rule 25-24.480 which requires interexchange carriers to file an IXC annual report with the Commission by January 31st of each year.

ISSUE 8: Should the Commission fine Advanced Communications Technologies, Inc. (ACT) \$10,000 and cancel their IXC certificate for failure to file their 1988 annual report?

RECOMMENDATION: No, the Commission should cancel the IXC certificate of Advanced Communications Technologies, Inc. and waive the fine of \$10,000 for failure to file their 1983 IXC annual report.

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ISSUE 9: Should the Commission fine All Florida Tel Company (AFT) \$10,000 and cancel their certificate for failure to respond to Order No. 21425 (Initiation of show cause proceedings for failure to file 1988 annual reports.)?

RECOMMENDATION: No, staff recommends the Commission cancel the certificate of AFT and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21425.

ISSUE 10: Should the Commission fine Shared Network Technologies, Inc. (SNT) \$10,000 and cancel their certificate for failure to respond to Show Cause Order No. 21424 (Initiation of show cause proceedings for failure to file 1988 annual reports.)?

RECOMMENDATION: No, staff recommends the Commission cancel the certificate of SNT and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21424.

ISSUE 11: Should the Commission fine Consolidated Communications of Lee County, Inc. (CCLC) \$10,000 and cancel their certificate for failure to respond to Order No. 21425 (Initiation of show cause proceedings for failure to file 1986 annual reports.)?

RECOMMENDATION: No, staff recommends the Commission cancel the certificate of CCLC and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21425.

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ISSUE 12: Should the Commission fine Communications Planning Corporation (CPC) \$10,000 and cancel their certificate for violation of Commission Rule 25-24.480?

RECOMMENDATION: No, staff recommends the Commission cancel the certificate of CPC and waive the \$10,000 fine for violation of Commission Rule 25-24.480.

ISSUE 13: Should the Commission fine Triple A Management Associates (TAMA) \$10,000 and cancel their certificate for failure to respond to Show Cause Order No. 21424 (Initiation of show cause proceedings for failure to file 1988 annual reports.)?

RECOMMENDATION: No, staff recommends that the Commission cancel the certificate of TAMA and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21424.

ISSUE 14: Should the Commission fine Telefind Corporation \$10,000 and cancel their certificate for failure to respond to Show Cause Order No. 21424-A (Initiation of show cause proceedings for failure to file the 1988 IXC annual reports.)?

RECOMMENDATION: No, staff recommends that the Commission cancel the certificate of Telefind Corporation and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21424-A .

ISSUE 15: Should the Commission fine Layne Communications Corporation (No. 890561-TI) and Florida Digital Network (No. 890566-TI) \$10,000 and cancel their certificates for failure to comply with Commission Rule 25-24.480?

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RECOMMENDATION: No, staff recommends the Commission waive the \$10,000 fine for both of these company's. In addition, staff recommends that the Commission close the dockets opened on Layne Communications Corporation and Florida Digital Network.

ISSUE 16: Should the Local Exchange Companies (LECs) and IXC's discontinue service to the companies addressed in Issues 5, 8, 9, 10, 11, 12, 13 and 14?

RECOMMENDATION: Yes, staff recommends the Commission order all LECs and IXC's to discontinue intrastate service to the companies addressed in the above mentioned Issues.

ISSUE 17: Should the dockets opened on Executive Suites of Ft. Lauderdale (D-890611-TI), Alltelco of Florida, Inc. (D-890558-TI) and Chatco Communications, Inc. (D-890560-TI) be closed?

RECOMMENDATION: No, staff recommends that these dockets should be held open pending resolution of the show cause proceedings. Staff also recommends that if the fine is paid within 30 days after issuance of the show cause order, then staff will be authorized by the Commission to administratively close these dockets. Staff further recommends that if the fine is not paid within 30 days after issuance of the show cause order or a protest is not received by the Commission, then the IXC's Certificate of Public Convenience and Necessity be cancelled.

ISSUE 18: Should the docket opened on 800 Telpatch Service, Inc. (D-890565-TI) be closed?

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RECOMMENDATION: No, staff recommends that this docket should be held open pending resolution of the show cause proceeding and issuance of a consummating order on Issue 5. Staff also recommends that if the fine is paid within 30 days after issuance of the show cause order and a consummating order is issued on Issue 5, then staff will be authorized by the Commission to administratively close the docket.

ISSUE 19: Should the dockets opened on Corporate Executive Offices, Inc. (D-890564-TI) and Metro Line, Inc. (D-890570-TI) be closed?

RECOMMENDATION: No, staff recommends that these dockets should be held open pending payment of the fines. Staff also recommends that if the fine is paid within 30 days after issuance of the final order, then staff will be authorized by the Commission to administratively close these dockets. Staff further recommends that if the fine is not paid within 30 days after issuance of the final order, then the IXC's Certificate of Public Convenience and Necessity be cancelled.

ISSUE 20: Should the dockets opened on Advanced Communications Technologies, Inc. (D-890556-TI), All Florida Tel Company (D-890557-TI), Shared Network Technologies, Inc. (D-890577-TI), Consolidated Communications of Lee County, Inc. (D-890563-TI), Communications Planning Corporation (D-890562-TI), Triple A Management Associates (D-890576-TI) and Telefind Corporation (D-890575-TI) be closed?

RECOMMENDATION: Yes, staff believes the companies addressed in the above mentioned issue should be closed.

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RECOMMENDATION: No, staff recommends that this docket should be held open pending resolution of the show cause proceeding and issuance of a consummating order on Issue 5. Staff also recommends that if the fine is paid within 30 days after issuance of the show cause order and a consummating order is issued on Issue 5, then staff will be authorized by the Commission to administratively close the docket.

ISSUE 19: Should the dockets opened on Corporate Executive Offices, Inc. (D-890564-TI) and Metro Line, Inc. (D-890570-TI) be closed?

RECOMMENDATION: No, staff recommends that these dockets should be held open pending payment of the fines. Staff also recommends that if the fine is paid within 30 days after issuance of the final order, then staff will be authorized by the Commission to administratively close these dockets. Staff further recommends that if the fine is not paid within 30 days after issuance of the final order, then the IXC's Certificate of Public Convenience and Necessity be cancelled.

ISSUE 20: Should the dockets opened on Advanced Communications Technologies, Inc. (D-890556-TI), All Florida Tel Company (D-890557-TI), Shared Network Technologies, Inc. (D-890577-TI), Consolidated Communications of Lee County, Inc. (D-890563-TI), Communications Planning Corporation (D-890562-TI), Triple A Management Associates (D-890576-TI) and Telefind Corporation (D-890575-TI) be closed?

RECOMMENDATION: Yes, staff believes the companies addressed in the above mentioned issue should be closed.

CASE BACKGROUND

On December 19, 1988, staff sent a memorandum to all certificated IXCs directing their attention to Rule 25-24.480. The memorandum included a "fill in the blank" annual report form created by staff to help simplify their task along with a copy of Rule 25-24.480 subparagraphs (5) and (6) which states:

- (5) "Each company shall file the following with the Division of Communications by January 31 of each year:
 - (a) The name and address of the certificate holder, principal national, regional and Florida office (if any) including street name and number and post office box, city, state and zip code.
 - (b) Telephone number and name of the individual who is to serve as liaison with the Commission in regard to the ongoing operations of the company at the principal Florida and national and regional offices.
 - (c) If incorporated, names, titles (if corporate officers), and addresses of ten (10) largest stockholders, and the directors and chief officers.
 - (d) If the company is an individual or partnership, name, title and address of sole proprietor or partners.
 - (e) A statement of whether the company is currently providing service to customers and, if not, the last date service was provided to customers and plans for providing service in the future.
 - (f) A statement of the current balance (if any) of customer deposits and advance payments (for more than one month's service), as well as the amount of the bond covering those amounts (if required by Rule 25-24.490(3)).

- (6) Each company shall file construction and capacity reports with the Division of Communications by January 31 of each year showing the company's construction and capacity increases completed during the past calendar year and proposed plans for the foreseeable future. The report shall contain the following by location and should include maps showing new routes installed:
- (a) Interexchange construction (put in service past year and proposed):
 - 1. Microwave radio;
 - 2. Metallic cable (carrier);
 - 3. Fiber optics;
 - 4. Satellite.
 - (b) Terminals (Point of Presence serving LEC). (Put in service past year and proposed.)
 - (c) Switches (Drop and Insert Point where calls are switched to IXC routes). (Put in service past year and proposed.)
 - (d) Network capacity (number of equivalent voice paths installed in past year.)*

On February 9, 1989, staff sent a second notice to the 49 IXCs who did not respond to the initial letter by the required January 31, 1989 filing date. The second letter informed the IXCs that unless an annual report was submitted to the Commission, a fine or possible cancellation of their certificate may be forthcoming. Again, this letter included a copy of the appropriate IXC rule and an annual report form. Both the memo and the letter listed a staff contact for any questions on the part of the IXCs.

At the May 30, 1989 agenda conference a total of 33 IXCs that were delinquent in filing their 1988 IXC annual report in a timely manner were brought before the Commission. The 33 IXCs were broken up into three categories. Those that were late in filing their annual report for the first

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time, those that were late for two consecutive years and those who did not file at all. After hearing from staff and the IXC's which were represented, the Commission decided to offer a settlement in lieu of initiating a show cause proceeding for all the companies which were late in filing their 1988 IXC annual report and initiate a show cause proceeding for the companies that did not file an annual report.

The conditions which the Commission imposed on the offer of settlement were different depending on whether the company was late one or two years. For those companies that were late in filing their annual report for the first time a \$1,000 fine was imposed. If by July 14, 1989, the companies paid \$500, the Commission suspended the remaining \$500 until the 1989 report is due on January 31, 1990. If the 1989 report is filed late, the late-filing IXC's will be required to pay the suspended portion of this fine as well as any additional fines that the Commission may impose for that violation.

For those IXC's late two years consecutively the Commission imposed a \$4,000 fine. If by July 14, 1989, the companies paid \$2,000, the Commission suspended the remaining \$2,000 until the 1989 report is due on January 31, 1990. If the 1989 report is filed late, the late-filing IXC's will be required to pay the suspended portion of this fine as well as any additional fines that the Commission may impose for that violation. An amendatory order was issued on July 10, 1989 giving 800 Telpatch Service, Inc. and Alltelco of Florida, Inc. until July 28, 1989 to pay their respective fines.

For those companies that failed to file a 1988 IXC annual report the Commission voted to initiate show cause proceedings. These companies were to

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show cause why they should not be required to pay \$10,000 and have their certificate revoked. Each company was to file its written response by July 12, 1989. An amendatory order was issued on July 19, 1989 giving Telefind, Inc. until August 8, 1989 to pay its fine.

This recommendation addresses those companies for which show causes were issued and those did not pay their fines. Attachment 1, page 12 lists the companies which paid their fines in lieu of the Commission initiating a show cause proceeding. Attachment 2, page 13 is a summary of the Commission's decisions at the May 30, 1989 agenda conference.

INTEREXCHANGE COMPANIES THAT HAVE PAID THEIR FINES IN LIEU
OF INITIATION OF A SHOW CAUSE PROCEEDING

INTEREXCHANGE CARRIER AND AMOUNT OF FINE PAID

AMERICAN NETWORK EXCHANGE, INC. (\$500)
AMERICAN OPERATOR SERVICES (\$500)
AMERISYSTEMS PARTNERSHIP (\$2000)
CARD*TEL, INC. (\$500)
LIGHTNET (\$500)
MCI TELECOMMUNICATIONS CORPORATION (\$2,000)
ZSA, INC. (\$500)
SOUTHERNNET SERVICES, INC. (\$500)
SOUTHLAND FIBERNET, INC. (\$2,000)
SOUTHLAND SYSTEMS, INC. (\$2,000)
ST. JOE COMMUNICATIONS, INC. (\$2,000)
TELAMARKETING COMMUNICATIONS OF LOUISIANA (\$500)
TELECOMMUNICATIONS SERVICES CORPORATION OF CENTRAL FLA. (\$500)
TELE-FIBER NETWORK CORPORATION (\$500)
TRIPLE CROWN INDUSTRIES, INC. (\$500)

NAME OF CERTIFICATED CARRIER	DOCKET NUMBER	ISSUE NO.	TYPE OF PENALTY ASSESSED BY THE COMMISSION	RESPONSE TO THE ASSESSED PENALTY	DATE THE RESPONSE WAS TO BE FILED	DATE THE RESPONSE WAS FILED	STAFF RECOMMENDATION
EXECUTIVE SUITES OF FT. LAUDERDALE	[D-890541-11]	1	[FINED \$1,000 SUSPEND] \$500	[DID NOT PAY FINE]	07/14/89	NO RESPONSE	INITIATE SHOW CAUSE PROCEEDING FOR \$2,000.
ALLTELCO OF FLORIDA, INC.	[D-890550-11]	2	[FINED \$4,000 SUSPEND] \$2,000	[DID NOT PAY FINE]	7/28/89	NO RESPONSE	INITIATE SHOW CAUSE PROCEEDING FOR \$4,000.
CMATCO COMMUNICATIONS, INC.	[D-890540-11]	3	[FINED \$4,000 SUSPEND] \$2,000	[DID NOT PAY FINE]	07/14/89	NO RESPONSE	INITIATE SHOW CAUSE PROCEEDING FOR \$4,000.
800 TELPATCH SERVICE, INC.	[D-890543-11]	4, 5	[FINED \$4,000 SUSPEND] \$2,000	[DID NOT PAY FINE]	07/28/89	08/14/89	INITIATE SHOW CAUSE PROCEEDING FOR \$4,000. CANCEL CERTIFICATE.
CORPORATE EXECUTIVE OFFICES, INC.	[D-890564-11]	6	[FINED \$10,000 AND/OR] CANCEL CERTIFICATE	[NO RESPONSE TO SHOW CAUSE]	07/12/89	08/17/89	FINE \$2,000
NETRO LINE, INC.	[D-890579-11]	7	[FINED \$10,000 AND/OR] CANCEL CERTIFICATE	[PROTESTED PENALTY]	07/12/89	07/12/89	FINE \$2,000
ADVANCED COMMUNICATIONS TECHNOLOGIES, INC.	[D-890556-11]	8	[FINED \$10,000 AND/OR] CANCEL CERTIFICATE	[PROTESTED PENALTY]	07/12/89	FAX 07/12/89 REC 07/13/89	CANCEL CERTIFICATE. WAIVE FINE.
ALL FLORIDA TEL COMPANY	[D-890557-11]	9	[FINED \$10,000 AND/OR] CANCEL CERTIFICATE	[NO RESPONSE TO SHOW CAUSE]	07/12/89	NO RESPONSE	CANCEL CERTIFICATE. WAIVE FINE.
SHARED NETWORK TECHNOLOGIES, INC.	[D-890577-11]	10	[FINED \$10,000 AND/OR] CANCEL CERTIFICATE	[NO RESPONSE TO SHOW CAUSE]	07/12/89	08/04/89	CANCEL CERTIFICATE. WAIVE FINE.
CONSOLIDATED COMMUNICATIONS OF LEE COUNTY	[D-890543-11]	11	[FINED \$10,000 AND/OR] CANCEL CERTIFICATE	[NO RESPONSE TO SHOW CAUSE]	07/12/89	NO RESPONSE	CANCEL CERTIFICATE. WAIVE FINE.
COMMUNICATIONS PLANNING CORPORATION	[D-890542-11]	12	[FINED \$10,000 AND/OR] CANCEL CERTIFICATE	[PROTESTED PENALTY]	07/12/89	07/10/89	CANCEL CERTIFICATE. WAIVE FINE.
TRIPLE A MANAGEMENT ASSOCIATION	[D-890576-11]	13	[FINED \$10,000 AND/OR] CANCEL CERTIFICATE	[NO RESPONSE TO SHOW CAUSE]	07/12/89	NO RESPONSE	CANCEL CERTIFICATE. WAIVE FINE.

NAME OF CERTIFICATED CARRIER	BOCKET NUMBER	ISSUE NO.	TYPE OF PENALTY ASSESSED BY THE COMMISSION	RESPONSE TO THE ASSESSED PENALTY	DATE THE RESPONSE WAS TO BE FILED	DATE THE RESPONSE WAS FILED	STAFF RECOMMENDATION
TELEFONO CORPORATION	D-890575-11	14	FINED \$10,000 AND/OR CANCEL CERTIFICATE	NO RESPONSE TO SHOW CAUSE	08/08/89	NO RESPONSE	CANCEL CERTIFICATE. WAIVE FINE.
FLORIDA DIGITAL NETWORK	D-890546-11	15	FINED \$10,000 AND/OR CANCEL CERTIFICATE	NO RESPONSE TO SHOW CAUSE	07/12/89	NO RESPONSE	CLOSE BOOKET.
LAYNE COMMUNICATIONS CORP. D/A COMMUNE SERVICES	D-890541-11	15	FINED \$10,000 AND/OR CANCEL CERTIFICATE	NO RESPONSE TO SHOW CAUSE	07/12/89	NO RESPONSE	CLOSE BOOKET.

DISCUSSION OF ISSUES

ISSUE 1: Should Executive Suites of Ft. Lauderdale (Executive Suites) be required to show cause why they should not be fined \$2,000 for failure to file the required 1988 IXC annual report within the prescribed time limit which is in violation of Commission Rule 25-24.480?

RECOMMENDATION: Yes, Executive Suites should be required to show cause why they should not be fined \$2,000 for failure to comply with Commission Rule 25-24.480.

STAFF ANALYSIS: On March 27, 1989, Executive Suites filed its 1988 IXC annual report with the Division of Communications. By Commission Rule 25-24.480 this filing was to be received by January 31, 1989. Therefore, Executive Suites was in violation of this rule.

On June 22, 1989 the Commission issued Order No. 21429 (Attachment 3, page 46). This order established a 45-day period during which Executive Suites could elect to pay a fine in lieu of the Commission initiating a show cause proceeding. The Commission's offer of settlement was to impose a \$1,000 fine on Executive Suites for their failure to file an annual report in a timely manner. As part of the 45-day grace period Executive Suites was to pay \$500 by July 14, 1989, the remainder of the fine would be suspended until the 1989 report is due. If the 1989 report is filed late, Executive Suites will be required to pay the suspended portion of the fine as well as any additional fines that the Commission may impose for that violation.

The Commission has given Executive Suites the opportunity to pay a reduced fine in lieu of the \$2,000 show cause which was staff's original recommendation. The company has not responded to the Commission's offer of

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settlement. Therefore, staff believes the Commission should require Executive Suites to show cause why it should not be fined \$2,000 for violation of Commission Rule 25-24.480.

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ISSUE 2: Should Alltelco of Florida, Inc. (Alltelco) be required to show cause why they should not be fined \$4,000 for failure to file the required 1988 IXC annual report within the prescribed time limit which is in violation of Commission Rule 25-24.480?

RECOMMENDATION: Yes, Alltelco should be required to show cause why they should not be fined \$4,000 for failure to comply with Commission Rule 25-24.480.

STAFF ANALYSIS: On February 24, 1989, Alltelco filed its 1988 IXC annual report with the Division of Communications. By Commission Rule 25-24.480 this filing was to be received by January 31, 1989. Therefore, Alltelco was in violation of this rule.

On June 22, 1989 the Commission issued Order No. 21426 (Attachment 4, page 49) which initiated a show cause proceeding against Alltelco. After extensive review of the May 30 agenda conference tape, staff realized the Commission did not actually initiate a show cause proceeding. Therefore, on July 10, 1989, the Commission issued an Amending Order No. 21426-A (Attachment 5, page 52). This order established a 45-day period during which Alltelco could elect to pay a fine in lieu of the Commission initiating a show cause proceeding. The Commission's offer of settlement was to impose a \$4,000 fine on Alltelco for their failure to file an annual report in a timely manner for the second consecutive year. As part of the 45-day grace period Alltelco was to pay \$2,000 by July 28, 1989; the remainder of the fine would be suspended until the 1989 report is due. If the 1989 report is filed late,

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Alltelco will be required to pay the suspended portion of the fine as well as any additional fines that the Commission may impose for that violation.

The Commission has given Alltelco the opportunity to pay a reduced fine in lieu of the \$4,000 show cause which was staff's original recommendation. The company has not responded to the Commission's offer of settlement. Therefore, staff believes the Commission should require Alltelco to show cause why it should not be fined \$4,000 for violation of Commission Rule 25-24.480.

ISSUE 3: Should Chatco Communications, Inc. (Chatco) be required to show cause why they should not be fined \$4,000 for failure to file the required 1988 IXC annual report within the prescribed time limit which is in violation of Commission rule 25-24.480?

RECOMMENDATION: Yes, Chatco should be required to show cause why they should not be fined \$4,000 for failure to comply with Commission Rule 25-24.480.

STAFF ANALYSIS: On March 27, 1989, Chatco filed its 1988 IXC annual report with the Division of Communications. By Commission Rule 25-24.480 this filing was to be received by January 31, 1989. Therefore, Chatco was in violation of this rule.

On June 22, 1989 the Commission issued Order No. 21428 (Attachment 6, page 55). This order established a 45-day period during which Chatco could elect to pay a fine in lieu of the Commission initiating a show cause proceeding. The Commission's offer of settlement was to impose a \$4,000 fine on Chatco for their failure to file an annual report in a timely manner for the second consecutive year. As part of the 45-day grace period Chatco was to pay \$2,000 by July 14, 1989, the remainder of the fine would be suspended until the 1989 report is due. If the 1989 report is filed late, Chatco will be required to pay the suspended portion of the fine as well as any additional fines that the Commission may impose for that violation.

The Commission has given Chatco the opportunity to pay a reduced fine in lieu of the \$4,000 show cause which was staff's original recommendation. The company has not responded to the Commission's offer of settlement. Therefore, staff believes the Commission should require Chatco to show cause why it should not be fined \$4,000 for violation of Commission Rule 25-24.480.

ISSUE 4: Should 800 Telpatch Service, Inc. (800 Telpatch) be required to show cause why they should not be fined \$4,000 for failure to file the required 1988 IXC annual report within the prescribed time limit which is in violation of Commission Rule 25-24.480?

RECOMMENDATION: Yes, 800 Telpatch should be required to show cause why they should not be fined \$4,000 for failure to comply with Commission Rule 25-24.480.

STAFF ANALYSIS: On February 21, 1989, 800 Telpatch filed its 1988 IXC annual report with the Division of Communications. By Commission Rule 25-24.480 this filing was to be received by January 31, 1989. Therefore, 800 Telpatch was in violation of this rule.

On June 22, 1989 the Commission issued Order No. 21426 (Attachment 4, page 49) which initiated a show cause proceeding against 800 Telpatch. After extensive review of the May 30 agenda conference tape, staff realized the Commission did not actually initiate a show cause proceeding. Therefore, on July 10, 1989, the Commission issued an Amendatory Order No. 21426-A (Attachment 5, page 52). This order established a 45-day period during which 800 Telpatch could elect to pay a fine in lieu of the Commission initiating a show cause proceeding. The Commission's offer of settlement was to impose a \$4,000 fine on 800 Telpatch for their failure to file an annual report in a timely manner for the second consecutive year. As part of the 45-day grace period 800 Telpatch was to pay \$2,000 by July 28, 1989, the remainder of the fine would be suspended until the 1989 report is due. If the 1989 report is filed late, 800 Telpatch will be required to pay the suspended portion of the

fine as well as any additional fines that the Commission may impose for that violation.

On August 14, 1989, 800 Telpatch responded to a June 12, 1989 staff request to reformat their tariff (Attachment 7, page 58). In this response the company claimed that through U.S. Sprint's negligence 65% of their customer base was lost and the company was forced to seek the protection of the bankruptcy court (Chapter 11). Therefore, the company no longer needed a certificate to provide telecommunications service. On August 23, 1989, U.S. Sprint responded to staff's request for an explanation of the circumstances surrounding 800 Telpatch (Attachment 8, page 59). Basically, the response stated that service to 800 Telpatch was discontinued for nonpayment of their bill (\$258,907.54).

Even though staff believes the administrative problems associated with imposing a fine against this company is overwhelming, staff still deems the imposition of the \$4,000 fine appropriate in this case. In addition to failure to comply with Commission rules, staff does not believe this company has acted in the public interest. It appears that this company no longer provides telecommunications services and desires its certificate to be cancelled (Will be handled in Issue 5). However, this company is still a legal corporation with the Secretary of State. As a corporation with authority to operate in Florida the company could initiate service at any time. The imposition of a fine will serve two purposes. First, it will establish a punitive action against a company which has violated Commission rules. Second, it will provide a basis in which to judge this company if it wants to enter into the long distance market in the future.

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Therefore, staff believes the Commission should require 800 Telpatch to show cause why it should not be fined \$4,000 for violation of Commission Rule 25-24.480.

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ISSUE 5: Should the Commission cancel 800 Telpatch Service, Inc.'s Certificate of Public Convenience and Necessity?

RECOMMENDATION: Yes, the Commission should cancel Certificate No. 78 which was issued to 800 Telpatch Service, Inc. on June 21, 1984.

STAFF ANALYSIS: As discussed in Issue 4, staff believes 800 Telpatch has not been acting in the public interest. In addition to the arguments in issue 4, the company has stated it no longer needs Certificate No. 78 since it has discontinued its provision of long distance service within Florida. Therefore, staff believes it is appropriate for the Commission to cancel the certificate of 800 Telpatch.

ISSUE 6: Should the Commission fine Corporate Executive Offices, Inc. (CEO) \$10,000 and cancel their certificate for violation of Commission Rule 25-24.480?

RECOMMENDATION: No, staff recommends the Commission only fine CEO \$2,000 for violation of Commission Rule 25-24.480 which requires interexchange carriers to file an annual report with the Commission by January 31st of each year.

STAFF ANALYSIS: At the May 30, 1989 agenda conference the Commission voted to initiate a show cause proceeding against CEO for failure to file the required 1988 IXC annual report which is in violation of Commission Rule 25-24.480. The conditions of the resulting show cause order (no. 21425 issued June 22, 1989, Attachment 9, page 65) required the company to show cause why they should not be fined \$10,000 and have their certificate revoked. A written response was required by July 12, 1989. The company did not file a timely response to the show cause order. However, the company did file a response (Attachment 10, page 68) with a copy of their annual report on August 17, 1989. The company claims their annual report was filed on January 26, 1989. Further, the company states that all of the other correspondence which staff has sent out concerning the annual reports, excluding the December 19, 1989 letter, has not been received by CEO. The address to which staff sent the requests for the annual report information is the official address on file with the Division of Records and Reporting. It is CEO's responsibility to update any changes of its corporate address.

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The violation of Commission rules cannot be overlooked. However, staff believes the imposition of a \$10,000 fine may be excessive in this case. Since the company wishes to continue in the provision of long distance service. Staff believes the Commission should fine CEO the same as those companies that filed their annual report late for the first time and did not respond to the Commission's offer of settlement. Therefore, staff is recommending the Commission waive cancellation of CEO's certificate and fine CEO \$2,000.

ISSUE 7: Should the Commission fine Metro Line, Inc. (Metro Line) \$10,000 and cancel their certificate for violation of Commission Rule 25-24.480?

RECOMMENDATION: No, staff recommends the Commission only fine Metro Line \$2,000 for violation of Commission Rule 25-24.480 which requires interexchange carriers to file an IXC annual report with the Commission by January 31st of each year.

STAFF ANALYSIS: At the May 30, 1989 agenda conference the Commission voted to initiate a show cause proceeding against Metro Line, Inc. for failure to file the required 1988 IXC annual report which is in violation of Commission Rule 25-24.480. The conditions of the resulting show cause order (no. 21424 issued June 22, 1989, Attachment 11, page 72) required the company to show cause why they should not be fined \$10,000 and have their certificate revoked. A written response was required by July 12, 1989.

Metro Line, Inc. responded to the show cause order on July 12, 1989 (Attachment 12, page 75). In their response the company admits to failure in filing the 1988 IXC annual report and claims it did not do so willfully but states internal miscommunication as the reason for not filing in a timely manner. Included with the show cause response was a completed 1988 IXC annual report for the company.

Since Metro Line, Inc. was certificated on September 29, 1988 and responded to the show cause order along with submitting a 1988 IXC annual report, staff believes that the Commission should treat this company the same as those companies that filed their annual report late for the first time and

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did not respond to the Commission's offer of settlement. Therefore, staff is recommending that the Commission waive cancellation of the company's certificate and fine Metro Line \$2,000.

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ISSUE B: Should the Commission fine Advanced Communications Technologies, Inc. (ACT) \$10,000 and cancel their IXC certificate for failure to file their 1988 annual report?

RECOMMENDATION: No, the Commission should cancel the IXC certificate of Advanced Communications Technologies, Inc. and waive the fine of \$10,000 for failure to file their 1988 IXC annual report.

STAFF ANALYSIS: At the May 30, 1989 agenda conference the Commission voted to initiate a show cause proceeding against ACT for failure to file the required 1988 IXC annual report which is in violation of Commission Rule 25-24.480. The conditions of the resulting show cause order (No. 21425 issued June 23, 1989, Attachment 9, page 65) required the company to show cause why they should not be fined \$10,000 and have their certificate revoked.

On July 12, 1989, ACT filed a response to the show cause order via facsimile transmission (Attachment 13, page 77). This was followed up with a hard copy on July 13, 1989 (Response to show cause was due on July 12, 1989). In the response ACT claimed that the address to which all correspondence was sent was incorrect. After reviewing the second request sent by staff, it was apparent that the suite number on the address was in fact incorrect. This was due to a staff error. Therefore, ACT did not know about the initiation of a show cause proceeding until the company received the show cause order which was sent return receipt requested. ACT claims the show cause order was forwarded to their company. In addition, ACT stated that their company was merely a shared tenant service provider (Certificated STS provider for two locations) and did not provide long distance service.

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After further investigation by staff, it was discovered that ACT's registration with the Secretary of State had been involuntarily dissolved on November 16, 1987 (Attachment 14, page 78). On September 14, 1989, staff contacted Mr. James P. Cash, President of ACT, informing him of the lapse in the Secretary of State's registration. Mr. Cash informed staff that ACT still desired to continue its STS operation and would correct the Secretary of State's registration. If ACT corrects the registration with the Secretary of State, staff believes the commission should allow ACT to continue their STS operations. However, if ACT does not correct the registration within 30 days staff will initiate proceedings to cancel the STS certificates.

Due to the fact that the address to which all correspondence was incorrect and ACT wishes to cancel its IXC certificate, staff believes the Commission should waive the \$10,000 fine and cancel ACT's IXC Certificate No. 2168.

ISSUE 9: Should the Commission fine All Florida Tel Company (AFT) \$10,000 and cancel their certificate for failure to respond to Order No. 21425 (Initiation of show cause proceedings for failure to file 1988 annual reports.)?

RECOMMENDATION: No, staff recommends the Commission cancel the certificate of AFT and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21425.

STAFF ANALYSIS: At the May 30, 1989 agenda conference the Commission voted to initiate a show cause proceeding against AFT for failure to file the required 1988 IXC Annual Report which is in violation of Commission Rule 25-24.480. The conditions of the resulting show cause order (no. 21425 issued June 23, 1989, Attachment 9, page 65) required the company to show cause why they should not be fined \$10,000 and have their certificates revoked. A written response was required by July 12, 1989. AFT has not responded to the show cause order. In addition, staff has discovered that AFT is no longer a legal entity with the Secretary of State (Attachment 15, page 79). It appears that CCLC is no longer providing service within Florida.

Given these circumstances staff recommends the Commission waive the \$10,000 fine. Even though staff agrees with the concept of fining companies which violate our rules, the administrative problems of attempting to collect a fine against a company which is no longer in business is too great. Therefore, staff is only recommending the Commission cancel All Florida Tel Company's Certificate No. 1876.

ISSUE 10: Should the Commission fine Shared Network Technologies, Inc. (SNT) \$10,000 and cancel their certificate for failure to respond to Show Cause Order No. 21424 (Initiation of show cause proceedings for failure to file 1988 annual reports.)?

RECOMMENDATION: No, staff recommends the Commission cancel the certificate of SNT and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21424.

STAFF ANALYSIS: At the May 30, 1989 agenda conference the Commission voted to initiate a show cause proceeding against SNT for failure to file the required 1988 IXC Annual Report which is in violation of Commission Rule 25-24.480. The conditions of the resulting show cause order (no. 21424 issued June 23, 1989, Attachment 11, page 72) required the company to show cause why they should not be fined \$10,000 and have their certificates revoked. A written response was required by July 12, 1989. SNT has not responded to the show cause order.

On August 4, 1989, staff received a letter (Attachment 16, page 80) from SNT stating that their company's Florida assets and customer contracts were sold to Centres Communications, Inc. (Holder of IXC Certificate No. 2183) in October of 1988. The letter also states that SNT is no longer in operation in Florida and requests that SNT's certificate be cancelled.

Given these circumstances, staff recommends the Commission waive the \$10,000 fine. Even though staff agrees with the concept of fining companies which violate our rules, the administrative problems of attempting to collect

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a fine against a company which is no longer in business is too great.
Therefore, staff is only recommending the Commission cancel Shared Network
Technologies, Inc.'s Certificate No. 554.

ISSUE 11: Should the Commission fine Consolidated Communications of Lee County, Inc. (CCLC) \$10,000 and cancel their certificate for failure to respond to Order No. 21425 (Initiation of show cause proceedings for failure to file 1988 annual reports.)?

RECOMMENDATION: No, staff recommends the Commission cancel the certificate of CCLC and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21425.

STAFF ANALYSIS: At the May 30, 1989 agenda conference the Commission voted to initiate a show cause proceeding against CCLC for failure to file the required 1988 IXC Annual Report which is in violation of Commission Rule 25-24.480. The conditions of the resulting show cause order (no. 21425 issued June 23, 1989, Attachment 9, page 65) required the company to show cause why they should not be fined \$10,000 and have their certificates revoked. A written response was required by July 12, 1989. CCLC has not responded to the show cause order. In addition, staff has discovered that CCLC is no longer a legal entity with the Secretary of State (Attachment 17, page 81). It appears that CCLC is no longer providing service within Florida.

Given these circumstances staff recommends the Commission waive the \$10,000 fine. Even though staff agrees with the concept of fining companies which violate our rules, the administrative problems of attempting to collect a fine against a company which is no longer in business is too great. Therefore, staff is only recommending the Commission cancel Consolidated Communications of Lee County, Inc.'s Certificate No. 1219.

ISSUE 12: Should the Commission fine Communications Planning Corporation (CPC) \$10,000 and cancel their certificate for violation of Commission Rule 25-24.480?

RECOMMENDATION: No, staff recommends the Commission cancel the certificate of CPC and waive the \$10,000 fine for violation of Commission Rule 25-24.480.

STAFF ANALYSIS: At the May 30, 1989 agenda conference the Commission voted to initiate a show cause proceeding against CPC for failure to file the required 1988 IXC Annual Report which is in violation of Commission Rule 25-24.480. The conditions of the resulting show cause order (no. 21425 issued June 23, 1989, Attachment 9, page 65) required the company to show cause why they should not be fined \$10,000 and have their certificates revoked. A written response was required by July 12, 1989.

CPC filed a response on July 10, 1989 (Attachment 18, page 82). The company claims they filed their annual report before January 31, 1989. Staff has no record of receiving CPC's annual report or even a contact with the company after the second late notice was sent to CPC. Further, CPC states the company requested on December 6, 1988 that CPC's certificate be placed in an inactive status. The Commission does not have an inactive status for IXC certificates. After review of a copy of the annual report which the company claims it filed, staff discovered that the company has never provided any service within Florida since its certification on March 26, 1987 and has no plan to at this time. The Commission has authority under Commission Rule 25-24.474 (1)(d) to cancel a certificate on its own motion for failure to provide service for a period of six months. Therefore, staff believes the Commission should exercise this authority in this case.

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CPC's claim of whether the annual report was filed is immaterial to staff. The responsibility of filing the annual report is clearly the burden of the company, but since staff is recommending the Commission cancel CPC's Certificate No. 1533 and there appears to be question about the filing of the annual report staff believes the Commission should waive the \$10,000 fine. If the Commission decides to allow CPC to keep its certificate staff believes it would be appropriate to fine CPC \$4,000 for failure to comply with Commission Rule 25-24.480 for the second consecutive year in a timely manner.

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ISSUE 13: Should the Commission fine Triple A Management Associates (TAMA) \$10,000 and cancel their certificate for failure to respond to Show Cause Order No. 21424 (Initiation of show cause proceedings for failure to file 1988 annual reports.)?

RECOMMENDATION: No, staff recommends that the Commission cancel the certificate of TAMA and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21424.

STAFF ANALYSIS: At the May 30, 1989 agenda conference the Commission voted to initiate a show cause proceeding against TAMA for failure to file the required 1988 IXC annual report which is in violation of Commission Rule 25-24.480. The conditions of the resulting show cause order (No. 21424 issued June 22, 1989, Attachment 11, page 72) required the company to show cause why they should not be fined \$10,000 and have their certificates revoked. A written response was required by July 12, 1989. TAMA has not responded to the show cause order.

Staff believes that failure to comply with Commission rules and orders cannot be overlooked. The show cause order was sent to the company via certified mail in which a signed receipt was returned to staff. To date staff has yet to receive any correspondence from the company even though TAMA is still registered as a legal corporation with the Secretary of State's office. In addition, staff has contacted the company by phone in an attempt to inform the company of the pending action currently being taken. The company has failed to response to the staff's calls. Therefore, staff recommends that the

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Commission waive Triple A Management Associates' \$10,000 fine and cancel
Certificate No. 556 for violation of Commission Rule 25-24.480 and for failure
to respond to Show Cause Order No. 21424.

ISSUE 14: Should the Commission fine Telefind Corporation \$10,000 and cancel their certificate for failure to respond to Show Cause Order No. 21424-A (Initiation of show cause proceedings for failure to file the 1988 IXC annual reports.)?

RECOMMENDATION: No, staff recommends that the Commission cancel the certificate of Telefind Corporation and waive the \$10,000 fine for failure to respond to Show Cause Order No. 21424-A .

STAFF ANALYSIS: At the May 30, 1988 agenda conference the Commission voted to initiate a show cause proceeding against Telefind Corporation for failure to file required 1988 IXC annual report which is in violation of Commission Rule 25-24.480. The conditions of the resulting show cause order (No. 21424-A issued July 19, 1989, Attachment 19, page 89) required the company to show cause why they should not be fine \$10,000 and have their certificate revoked. A written response was required by August 8, 1989.

Before this docket was brought to the May 30, 1989 agenda, staff discovered Telefind Corporation was still in operation and purchasing service from Centel, United, Southern Bell telephone companies. On April 7, 1989 and May 22, 1989, staff called the company in an effort to persuade them to file their 1988 IXC annual report before this matter went to agenda. In both attempts staff was forced to leave a message requesting the proper person responsible for the annual report filing to return the call.

On June 22, 1989, Commission issued Order No. 21424 initiating a show cause proceedings against Telefind Corporation. The copy of the order that was sent to the company official address was returned as undeliverable. The

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Commission issued an amendatory order and extended the response date to August 8, 1989 after being furnished with a new address from staff's correspondence with Southern Bell. Staff Counsel also furnished a copy of the original order and the amendatory order by facsimile transmission to Mr. Thomas Erwin, comptroller for the company. Despite staff's efforts Telefind Corporation did not respond to the show cause order.

Therefore, staff is recommending that the Commission waive Telefind Corporation's \$10,000 fine and cancel Certificate No. 2073 for failure to file their 1988 IXC annual report as required by Commission Rule 25-24.480 and for failure to respond to Show Cause Order No. 21424-A.

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ISSUE 15: Should the Commission fine Layne Communications Corporation (No. 890561-TI) and Florida Digital Network (No. 890566-TI) \$10,000 and cancel their certificates for failure to comply with Commission Rule 25-24.480?

RECOMMENDATION: No, staff recommends the Commission waive the \$10,000 fine for both of these company's. In addition, staff recommends that the Commission close the dockets opened on Layne Communications Corporation and Florida Digital Network.

STAFF ANALYSIS: At the May 30, 1989 agenda conference, upon staff's recommendation the Commission voted to initiate show cause proceedings against Layne Communications Corporation (Docket No. 890561-TI) and Florida Digital Network (Docket No. 890566-TI) for failure to file the required 1988 IXC annual reports which is in violation of Commission Rule 25-24.480. During the agenda it was noted that both of these companies were show caused and fined last year for not timely filing their 1987 annual reports. The order (no. 19513 issued June 20, 1989, Attachment 20, page 91) resulting from last year's show cause proceedings stated that both of these companies were to be fined and given 30 days from the date of the order to pay the fine. Failure to do so would result in cancellation of their certificates. The Commission has no record of these companies ever paying their fines and due to the conditions outlined in Order No. 19513 the certificates of Layne Communications Corporation and Florida Digital Network were cancelled. Therefore, staff believes that Docket Nos 890561-TI and 890566-TI are now mute and recommend that they be closed.

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ISSUE 16: Should the Local Exchange Companies (LECs) and IXC's discontinue service to the companies addressed in Issues 5, 8, 9, 10, 11, 12, 13 and 14?

RECOMMENDATION: Yes, staff recommends the Commission order all LECs and IXC's to discontinue intrastate service to the companies addressed in the above mentioned Issues.

STAFF ANALYSIS: After a company's Certificate of Public Convenience and Necessity has been cancelled, they should no longer be allowed to continue to provide long distance service in Florida on an intrastate basis. This is consistent with the provisions of the Access Service tariff, Section E2., which requires certification as a condition of service. Staff believes the best way to handle this is to have all the LECs and IXC's in Florida discontinue intrastate service to the companies who are no longer certificated.

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ISSUE 17: Should the dockets opened on Executive Suites of Ft. Lauderdale (D-890611-TI), Alltelco of Florida, Inc. (D-890558-TI) and Chatco Communications, Inc. (D-890560-TI) be closed?

RECOMMENDATION: No, staff recommends that these dockets should be held open pending resolution of the show cause proceedings. Staff also recommends that if the fine is paid within 30 days after issuance of the show cause order, then staff will be authorized by the Commission to administratively close these dockets. Staff further recommends that if the fine is not paid within 30 days after issuance of the show cause order or a protest is not received by the Commission, then the IXC's Certificate of Public Convenience and Necessity be cancelled.

STAFF ANALYSIS: The fines assessed the IXCs should be collected before these dockets are closed. If the fines are not collected in a timely manner (within 30 days), or a protest to the show cause is not received then the certificate of the respective IXC should be cancelled. If the fines are collected, then the dockets involved may be administratively closed.

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ISSUE 18: Should the docket opened on 800 Telpatch Service, Inc. (D-890565-TI) be closed?

RECOMMENDATION: No, staff recommends that this docket should be held open pending resolution of the show cause proceeding and issuance of a consummating order on Issue 5. Staff also recommends that if the fine is paid within 30 days after issuance of the show cause order and a consummating order is issued on Issue 5, then staff will be authorized by the Commission to administratively close the docket.

STAFF ANALYSIS: Normally, staff would not recommend a fine be assessed against a company that has requested to cancel its certificate. However, in this case the company has not acted in the public interest. The fine assessed on 800 Telpatch should be collected before this docket is closed. Since the threat of cancellation of the company's certificate is no longer present, the imposition of a fine against 800 Telpatch maybe a waste of time. However, nonpayment of the fine by the company would prohibit the company from ever receiving a certificate from this Commission in the future. If the company pays the assessed fine then there should be no road blocks by the Commission for future certification. The Commission can not overlook a company's violation of its rules just because the company no longer desires to provide telecommunications services. Therefore, staff recommends the Commission leave this docket open pending resolution of the show cause proceeding and issuance of the consummating order in Issue 5.

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ISSUE 19: Should the dockets opened on Corporate Executive Offices, Inc. (D-890564-TI) and Metro Line, Inc. (D-890570-TI) be closed?

RECOMMENDATION: No, staff recommends that these dockets should be held open pending payment of the fines. Staff also recommends that if the fine is paid within 30 days after issuance of the final order, then staff will be authorized by the Commission to administratively close these dockets. Staff further recommends that if the fine is not paid within 30 days after issuance of the final order, then the IXC's Certificate of Public Convenience and Necessity be cancelled.

STAFF ANALYSIS: The fines assessed the IXCs should be collected before these dockets are closed. If the fines are not collected in a timely manner within 30 days the certificate of the respective IXC should be cancelled. If the fines are collected, then the dockets involved may be administratively closed.

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ISSUE 20: Should the dockets opened on Advanced Communications Technologies, Inc. (D-890556-TI), All Florida Tel Company (D-890557-TI), Shared Network Technologies, Inc. (D-890577-TI), Consolidated Communications of Lee County, Inc. (D-890563-TI), Communications Planning Corporation (D-890562-TI), Triple A Management Associates (D-890576-TI) and Telefind Corporation (D-890575-TI) be closed?

RECOMMENDATION: Yes, staff believes the companies addressed in the above mentioned issue should be closed.

STAFF ANALYSIS: Staff believes the dockets opened on the companies listed above should be closed. Staff is recommending the certificates of these companies be cancelled. In addition, staff is notifying the LECs and IXC's to discontinue intrastate service to the companies whose certificates are cancelled as a result of noncompliance to Commission Rule 25-24.480.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause)	
proceedings for failure to file 1988)	
annual reports:)	
)	
NATIONAL TELEPHONE SERVICES, INC.	)	DOCKET NO. 890608-TI
AMERICAN NETWORK EXCHANGE, INC.	)	DOCKET NO. 890609-TI
CARD*TEL, INC.	)	DOCKET NO. 890610-TI
EXECUTIVE SUITES OF FT. LAUDERDALE	)	DOCKET NO. 890611-TI
LIGHTNET	)	DOCKET NO. 890612-TI
PEA, INC.	)	DOCKET NO. 890613-TI
	)	ORDER NO. 21429
	)	ISSUED: 6-22-89

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY KASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

ORDER ESTABLISHING 45-DAY PERIOD FOR
 PAYING FINE IN SETTLEMENT OF
 APPARENT RULE VIOLATION

BY THE COMMISSION:

Rule 25-24.480, Florida Administrative Code (the Rule), requires that each interexchange carrier (IXC) file reports with this Commission. The reports, due on January 31st of each year, require basic company information as well as construction and capacity data.

On December 19, 1988, Staff sent a memorandum to all certificated IXCs directing their attention to the Rule. The memorandum included a copy of the Rule, and a "fill in the blank" annual report form to help simplify the IXC's task. On February 9, 1989, Staff sent a second notice to 49 IXCs that failed to respond to the initial letter by the required January 31, 1989 filing date. The second letter warned the IXCs that if they did not comply with the Rule and submit an annual report, the Commission would impose a fine or possibly cancel their certificates. Again, this letter included a copy of the Rule and an annual report form, as well as the name of a Staff member who would be available to answer any questions the IXC may have. The IXCs listed in the caption of this Order filed their reports beyond the January 31, 1989 deadline.

We will not tolerate disregard of our rules by regulated utilities. Pursuant to Section 364.285, Florida Statutes, we find it appropriate to impose a \$1,000 fine on these IXCs for their apparent failure to file annual reports in a timely manner. If by July 14, 1989, they pay \$500, we will suspend the remaining \$500 until the 1989 report is due on January 31, 1990. If the 1989 report is filed late, the late-filing IXCs will be required to pay the suspended portion of this fine as well as any additional fines that we may impose for that violation. An IXC's acceptance of this settlement offer by paying the \$500 fine shall be deemed as acceptance of our condition that the suspended \$500 portion of the fine shall

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become due upon that IXC's failure to file its 1989 report on time. Moreover, we reserve judgement as to the proper amount of the additional fine that may be imposed for violating the Rule next year.

National Telephone Services, Inc. (NTS) and Card-Tel, Inc. (CTI), submitted responses in Dockets Nos. 890608-TI and 890610-TI, respectively. In light of the fact that both companies have only recently been authorized to operate in Florida, they request that we suspend for one year all but \$300 of the \$2,000 fine recommended by our Staff. Each company proposes that we lift the suspension and immediately impose the remaining portion of the fine in the event that it fails, without good cause, to file its completed 1989 annual report on time. Because of the action taken herein, the requests of NTS and CTI are moot.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that each interexchange carrier listed in the caption of this Order may elect to comply with the requirements established in this Order in settlement of the apparent violation of Rule 25-24.480, Florida Administrative Code. It is further

ORDERED that the docket concerning any interexchange carrier listed in the caption of this Order shall be closed when that carrier complies with the conditions established in the body of this Order by July 14, 1989. It is further

ORDERED that the docket concerning any interexchange carrier listed in the caption of this Order shall remain open for further proceedings if that carrier elects not to comply with the conditions established in the body of this Order by July 14, 1989.

ORDERED that the requests submitted by National Telephone Services, Inc., and Card-Tel, Inc., in Dockets Nos. 890608-TI and 890610-TI, respectively, are hereby dismissed as moot.

By ORDER of the Florida Public Service Commission,
this 22nd day of JUNE, 1989.

STEVE TRIBLE, Director
Division of Records and Reporting

(S E A L)

E.C.

by Kay Flynn
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any

ORDER NO. 21429
DOCKETS NOS. 890608-T1 THROUGH 890613-T1
Page 3

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 within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.860, 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 or sewer 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.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause)	
proceedings for failure to file 1988)	
annual reports:)	
)	
ALTELCO OF FLORIDA, INC.	)	DOCKET NO. 890558-TI
800 TELPATCH SERVICE, INC.	)	DOCKET NO. 890565-TI
	)	ORDER NO. 21426
	)	ISSUED: 6-22-89

The following Commissioners participated in the disposition of this matter:

- MICHAEL MCK. WILSON, Chairman
- THOMAS W. BEARD
- BETTY EASLEY
- GERALD L. GUNTER
- JOHN T. HERNDON

ORDER INITIATING SHOW CAUSE PROCEEDINGS

BY THE COMMISSION:

Rule 25-24.480, Florida Administrative Code (the Rule), requires that each interexchange carrier (IXC) file reports with this Commission. The reports, due on January 31st of each year, require basic company information as well as construction and capacity data.

On December 19, 1988, Staff sent a memorandum to all certificated IXCs directing their attention to the Rule. The memorandum included a copy of the Rule, and a "fill in the blank" annual report form to help simplify the IXC's task. On February 9, 1989, Staff sent a second notice to 49 IXCs that failed to respond to the initial letter by the required January 31, 1989 filing date. The second letter warned the IXCs that if they did not comply with the Rule and submit an annual report, the Commission would impose a fine or possibly cancel their certificates. Again, this letter included a copy of the Rule and an annual report form, as well as the name of a Staff member who would be available to answer any questions the IXC may have.

Last year, show cause proceedings were initiated against Alltelco of Florida, Inc. (Alltelco), and 800 Telpatch Service, Inc. (Telpatch), for failing to file their 1987 reports on time. By Order No. 19513, issued June 30, 1988, these companies were fined for these rule violations. Both companies filed their 1988 reports beyond the January 31, 1989 deadline. We cannot tolerate repeated disregard of our rules by regulated utilities; therefore, we are compelled to impose sanctions designed to discourage such repetition. Accordingly, we find it appropriate to initiate a show cause proceeding against each company in order to determine whether a \$4,000 fine should be

DOCUMENT NUMBER-DATE

49 06173 JUN 22 1989

FPSC-REGIONS/REPORTING

ORDER NO. 31426
DOCKETS NOS. 890558-T1 AND 890565-T1
PAGE 2

imposed pursuant to Section 264.285, Florida Statutes, for its apparent failure to file annual report in a timely manner.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Alltelco of Florida, Inc., and 800 Telpatch Service, Inc., shall show cause in writing why a \$4,000 fine should not be assessed against each for its second failure to file timely reports required by Rule 25-24.480, Florida Administrative Code. It is further

ORDERED that the written responses of Alltelco of Florida, Inc., and 800 Telpatch Service, Inc., to this show cause order must be received by the Director of Records and Reporting, 101 E. Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 12, 1989. It is further

ORDERED that any response filed by Alltelco of Florida, Inc., or 800 Telpatch Service, Inc., must contain specific statements of law and fact. It is further

ORDERED that the failure by either Alltelco of Florida, Inc., or 800 Telpatch Service, Inc., to file a written response within the prescribed time period will constitute an admission of noncompliance and a waiver of any right to a hearing.

ORDERED that the failure by either Alltelco of Florida, Inc., or 800 Telpatch Service, Inc., to request a hearing in any written response that is submitted will constitute a waiver of any right to a hearing.

By ORDER of the Florida Public Service Commission, this 22nd day of JUNE, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

DLC

by Kay Flynn
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.60, 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.

ORDER NO. 21426
DOCKETS NOS. 890558-T1 AND 890565-T1
PAGE 3

This order is preliminary, procedural or intermediate in nature. Any person whose substantial interests are adversely affected by the action proposed by this order may file a petition for a formal proceeding pursuant to Rule 25-22.037(1), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 12, 1989. Failure to respond by July 12, 1989, shall constitute a admission of all facts and a waiver of the right to a hearing pursuant to Rule 25-22.037(1), Florida Administrative Code, and a default pursuant to Rule 25-22.037(3), Florida Administrative Code, and a default pursuant to Rule 25-22.037(4), Florida Administrative Code. Such default shall be effective on July 13, 1989. Moreover, the failure to request a hearing in any petition that is filed will constitute a waiver of any right to a hearing.

If an adversely affected person fails to respond to this order within the time prescribed above, that party may request judicial review by the Florida Supreme Court in the case of any electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer 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 of the effective date of the default date set forth in 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.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause)
proceedings for failure to file 1988)
annual reports:)
)
)
ALLTELCO OF FLORIDA, INC.)
800 TELPATCH SERVICE, INC.)
)
_____)

DOCKET NO. 890558-TI
DOCKET NO. 890565-TI
ORDER NO. 21426-A
ISSUED: 7-10-89

AMENDATORY ORDER

BY THE COMMISSION:

On June 22, 1989, we issued Order No. 21426 in the above-referenced dockets. Order No. 21426 erroneously initiated show cause proceedings in these dockets. Rather than taking such actions, Order No. 21426 should have established a 45-day period during which the interexchange carriers (IXCs) listed in the caption of this Order may elect to pay a fine in lieu of our initiating show cause proceedings against them. Order No. 21426 is amended in its entirety to read as follows:

Rule 25-24.480, Florida Administrative Code (the Rule), requires that each IXC file reports with this Commission. The reports, due on January 31st of each year, require basic company information as well as construction and capacity data.

On December 19, 1988, Staff sent a memorandum to all certificated IXCs directing their attention to the Rule. The memorandum included a copy of the Rule, and a "fill in the blank" annual report form to help simplify the IXC's task. On February 9, 1989, Staff sent a second notice to 49 IXCs that failed to respond to the initial letter by the required January 31, 1989 filing date. The second letter warned the IXCs that if they did not comply with the Rule and submit an annual report, the Commission would impose a fine or possibly cancel their certificates. Again, this letter included a copy of the Rule and an annual report form, as well as the name of a Staff member who would be available to answer any questions the IXC may have. The IXCs listed in the caption of this Order filed their 1988 reports beyond the January 31, 1989 deadline.

ORDER NO. 21426-A
DOCKETS NOS. 890558-TI AND 890565-TI
PAGE 2

We will not tolerate disregard of our rules by regulated utilities. Pursuant to Section 364.285, Florida Statutes, we find it appropriate to impose a \$4,000 fine on these IXC's for their apparent failure to file annual reports in a timely manner. If by July 28, 1989, they pay \$2,000, we will suspend the remaining \$2,000 until the 1989 report is due on January 31, 1990. If the 1989 report is filed late, the late-filing IXC's will be required to pay the suspended portion of this fine as well as any additional fines that we may impose for that violation. An IXC's acceptance of this settlement offer by paying the \$2,000 fine shall be deemed as acceptance of our condition that the suspended \$2,000 portion of the fine shall become due upon that IXC's failure to file its 1989 report on time. Moreover, we reserve judgment as to the proper amount of the additional fines that may be imposed for violating the Rule next year.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. 21426, issued June 22, 1989, is hereby amended as explained in the body of this Order. It is further

ORDERED that each interexchange carrier listed in the caption of this Order may elect to comply with the requirements established in this Order in settlement of the apparent violation of Rule 25-24.480, Florida Administrative Code. It is further

ORDERED that the docket concerning any interexchange carrier listed in the caption of this Order shall be closed when that carrier complies with the conditions established in the body of this Order by July 28, 1989. It is further

ORDERED that the docket concerning any interexchange carrier listed in the caption of this Order shall remain open for further proceedings if that carrier elects not to comply with the conditions established in the body of this Order by July 28, 1989.

ORDER NO. 21426-A
DOCKETS NOS. 890558-TI AND 890565-TI
PAGE 3

By ORDER of the Florida Public Service Commission,
this 10th day of JULY, 1989.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

DLC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 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 or sewer 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.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause)	
proceedings for failure to file 1988)	
annual reports:)	
)	
AMERISYSTEMS PARTNERSHIP	)	DOCKET NO. 890559-TI
CIATCO COMMUNICATIONS, INC.	)	DOCKET NO. 890560-TI
NCI TELECOMMUNICATIONS CORPORATION	)	DOCKET NO. 890568-TI
ST. JOE COMMUNICATIONS, INC.	)	DOCKET NO. 890571-TI
SOUTHLAND FIBERNET, INC.	)	DOCKET NO. 890572-TI
SOUTHLAND SYSTEMS, INC.	)	DOCKET NO. 890573-TI
	)	ORDER NO. 21428
	)	ISSUED: 6-22-89

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
THOMAS M. BEARD
BETTY EASLEY
GERALD L. GUNTER
JOHN T. MERNDON

ORDER ESTABLISHING 45-DAY PERIOD FOR
PAYING FINE IN SETTLEMENT OF
APPARENT RULE VIOLATION

BY THE COMMISSION:

Rule 25-24.480, Florida Administrative Code (the Rule), requires that each interexchange carrier (IXC) file reports with this Commission. The reports, due on January 31st of each year, require basic company information as well as construction and capacity data.

On December 19, 1988, Staff sent a memorandum to all certificated IXCs directing their attention to the Rule. The memorandum included a copy of the Rule, and a "fill in the blank" annual report form to help simplify the IXC's task. On February 9, 1989, Staff sent a second notice to 49 IXCs that failed to respond to the initial letter by the required January 31, 1989 filing date. The second letter warned the IXCs that if they did not comply with the Rule and submit an annual report, the Commission would impose a fine or possibly cancel their certificates. Again, this letter included a copy of the Rule and an annual report form, as well as the name of a Staff member who would be available to answer any questions the IXC may have. The IXCs listed in the caption of this Order filed their 1988 reports beyond the January 31, 1989 deadline.

We will not tolerate disregard of our rules by regulated utilities. Pursuant to Section 364.205, Florida Statutes, we find it appropriate to impose a \$4,000 fine on these IXCs for their apparent failure to file annual reports in a timely manner. If by July 14, 1989, they pay \$2,000, we will suspend the remaining \$2,000 until the 1989 report is due on January 31, 1990. If the 1989 report is filed late, the late-filing IXCs will be required to pay the suspended portion of this fine as well as any additional fines that we may impose for that violation. An IXC's acceptance of this settlement offer by

55 DOCUMENT NUMBER-DATE
06175 JUN 22 89
FPSC-RECORDS/REPORTING

ORDER NO. 21428
DOCKETS NOS. 890559-TI, 890560-TI, 890568-TI, 890571-TI,
890572-TI AND 890573-TI
PAGE 2

paying the \$2,000 fine shall be deemed as acceptance of our condition that the suspended \$2,000 portion of the fine shall become due upon that IXC's failure to file its 1989 report on time. Moreover, we reserve judgment as to the proper amount of the additional fines that may be imposed for violating the Rule next year.

MCI Telecommunications Corporation (MCI) submitted two responses in Docket No. 890568-TI, alleging that our staff was unduly harsh in recommending that the company be fined \$4,000. MCI proposes instead that we impose a \$4,000 fine with \$1,500 being payable within 30 days and the balance being suspended. Further, MCI proposes that the balance be forgiven if the company files its completed 1989 annual report on time. Because of the action taken herein, MCI's requests are moot.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that each interexchange carrier listed in the caption of this Order may elect to comply with the requirements established in this Order in settlement of the apparent violation of Rule 25-24.480, Florida Administrative Code. It is further

ORDERED that the docket concerning any interexchange carrier listed in the caption of this Order shall be closed when that carrier complies with the conditions established in the body of this Order by July 14, 1989. It is further

ORDERED that the docket concerning any interexchange carrier listed in the caption of this Order shall remain open for further proceedings if that carrier elects not to comply with the conditions established in the body of this Order by July 14, 1989. It is further

ORDERED that the requests submitted by MCI Telecommunications Corporation in Docket No. 890568-TI are hereby dismissed as moot.

By ORDER of the Florida Public Service Commission,
this 22nd day of JUNE, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

DLC

By Kay Flynn
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by

ORDER NO. 21428
DOCKETS NOS. 890559-TI, 890560-TI, 890568-TI, 890571-TI,
890572-TI AND 890573-TI
PAGE 3

Section 120.59(4), 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 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 or sewer 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 9.000(a), Florida Rules of Appellate Procedure.

800 TELEPATCH SERVICE, INC.

1-800-877-2222 ext. 800
1-813-794-8040

August 9, 1989

RECEIVED
AUG 22 1989
RECEIVED
AUG 14 1989

Mr. Monique H. Cheek
Bureau of Rates
Public Service Commission
State of Florida
101 East Gaines Street
Tallahassee, Fl. 32389

Fla. Public Service Commission
Division of Water and Sewer

FPSC-RECORDS/REPORTING

Re: Your letter dated June 12, 1989 regarding rewriting
our tariff.

Dear Mr. Cheek:

890565-TI

800 Telepatch Service, Inc. was put out of business by
U.S. Sprint Communications on July 24, 1989.

Through U.S. Sprint's negligence, 65% of our customer base
was lost. They would not even discuss the matter with us.
After recovering, without their cooperation, they sought
for ways to terminate our service.

We no longer need the PSC's telecommunications license and
request that you inform other departments, including legal,
that 800 Telepatch is no longer an operating company. We
have been forced to seek the protection of the bankruptcy
court.

RECEIVED

AUG 23 1989

Florida Public Service Commission
Communication Department

Yours truly,

Raymond C. Casper
Raymond C. Casper
President

cc: Mr. Steve Tribble, Director (Division of Records & Reporting)
RCC/rc



August 23, 1989

Mr. Tom Williams
Bureau of Service Evaluation
Florida Public Service Commission
101 E. Gaines
Tallahassee, FL. 32399-0866

Re: 800 Telepatch

Dear Mr. Williams:

This is in response to your request for information about 800 Telepatch, a former customer of US Sprint. 800 Telepatch was a US Sprint customer for 800 service. In order to understand the circumstances leading up to the cancellation of service for 800 Telepatch, some background information is necessary.

In April, 1988, 800 Telepatch filed a petition under Chapter 11 of the Bankruptcy Code. This petition would have allowed 800 Telepatch to reorganize while arranging to pay off its creditors. At that time US Sprint was one of 800 Telepatch's existing creditors. Shortly after this filing with the Bankruptcy Court, the US Sprint Credit Management Department met with 800 Telepatch to set up a payment plan for its post-petition usage. US Sprint continued to provide 800 service to the customer even though it failed to meet all of the payment obligations under this payment plan.

By April, 1989, the 800 Telepatch account for post-petition usage had fallen more than 90 days past due. However, US Sprint negotiated a new payment plan with the company and continued to provide it service. Under this payment plan 800 Telepatch was to make four payments in the amount of \$27,062.50 each. These payments were scheduled to be made on May 12, May 30, June 15 and June 30, 1989. The payments made on May 12 and May 30 were both returned by the bank for non-sufficient funds.

At this point US Sprint was about to disconnect service to the customer when Raymond Casper, president of 800 Telepatch, spoke with Marley Myers, US Sprint's vice president of revenue assurance. As a result of this discussion, US Sprint agreed to allow 800 Telepatch to establish a new payment plan.

Mr. Tom Williams
Page Two

Under the terms of this new agreement, 800 Telepatch agreed to make an initial payment of \$41,000 on June 21. In addition, it agreed to make payments of \$14,000 each on June 28, July 8 and July 16. At this point it was expected that 800 Telepatch's current month's usage would be posted to its account; under the agreement any current usage exceeding \$40,000 was to be paid within 10 days. The agreement also called for additional payments of \$14,000 on July 21 and July 28, after which the parties agreed they would jointly look at 800 Telepatch's ongoing ability to pay its debt.

These terms were contained in a letter dated June 20, which was sent to Mr. Casper. This letter, a copy of which is attached to this response, clearly states that failure to meet any of the payments under this agreement would result in the immediate disconnection of service.

800 Telepatch did not meet its payment obligation on July 21. Instead, Mr. Casper contacted Mr. Myers on that date and requested an extension of time to pay and a new payment schedule. Because 800 Telepatch did not meet its agreed-upon payment schedule, and in light of 800 Telepatch's previous payment history, its service was disconnected effective July 24.

We have been told that 800 Telepatch was reselling US Sprint's 800 service. As we understand it, 800 Telepatch used an operator to screen all calls terminating to a US Sprint-provided 800 number, and then in turn routed those calls to 800 Telepatch's own customers. While we don't know the specifics of this business, we assume that each customer of 800 Telepatch was given the same 800 number to use, plus a separate specific extension number; we assume the 800 Telepatch operator used this extension to determine which customer was to receive the individual calls.

When US Sprint disconnected its 800 service to 800 Telepatch, it resulted in interrupted service for each of 800 Telepatch's customers. While we regret the problems this may have caused them, we believe any complaint they may have lies with 800 Telepatch and not with US Sprint. US Sprint does not offer a service similar to the service apparently sold by 800 Telepatch, and thus we are unable to duplicate it for 800 Telepatch's customers. In addition, US Sprint had no way to identify the customers of 800 Telepatch, so we couldn't provide this service to them even if it was a service that we offered.

Mr. Tom Williams
Page Three

US Sprint understands that another customer known as Access 800 is in the same or comparable business as 800 Telepatch. US Sprint is currently reviewing the credit background of Access 800. Assuming Access 800 passes the credit check required of any customer for 800 service, US Sprint has agreed to provide the same number to it that we formerly provided to 800 Telepatch.

US Sprint does not believe it is liable for the problems encountered by the 800 Telepatch customers who have suffered an interruption of their 800 service. We are sorry they have been inconvenienced, however we do not believe US Sprint has done anything wrong in our handling of this matter.

If you have any questions about this, please feel free to contact me.

Yours very truly,



Thomas A. Grimaldi

cc: Don Fowler
Tony Key

Levine Group Headquarters
200 Edmund Halley Drive
Reston, VA 22091



June 20, 1989

800 Telepatch Services, Inc.
Attn: Mr. Ray Casper
755 Main Street
Dunedin, FL 34698

RE: Outstanding Account 109068695	Balance \$118,604.40
Outstanding Account 270001492	Balance \$140,303.14

Total Amount Due	\$258,907.54

Dear Mr. Casper:

As a follow-up to your conversation with Marley Myers, I am writing to confirm your payment agreement. US Sprint must receive a cashier's check or a wire transfer of \$41,900.00 by 5:00pm on Wednesday, June 21, 1989. In addition to the June 21st payment, US Sprint must receive \$14,000.00 every Friday by 5:00pm in the form of a cashier's check or wire transfer (see attachment.) Cashier's checks must be delivered to 2002 Edmund Halley Drive, Reston, VA 22091 to the attention of Cathleen McCormick.

These weekly payments will begin on Friday, June 23, 1989, and will remain in effect until August 13, 1989, at which time we will jointly reassess your ability to pay for your long distance service. This arrangement is based on a maximum monthly usage of \$40,000.00 per month, any usage in excess of \$40,000.00 will be due and payable within 10 days of receipt of invoice. You are obligated to insure this payment arrangement is met. Failure to meet any of the required payments will result in immediate disconnection of service without further notification.

If you have any questions, please call me at (703) 264-4807 or Cathleen McCormick at (703) 264-4480. Thank you for your cooperation.

Sincerely,

Alison S. Benyo

cc: Cathleen McCormick



WIRE TRANSFER PAYMENTS

You may wire your transfer payment directly to US Sprint.

Send your wire transfer payment to:

US Sprint Communications Co
P.O. Box 41700
Philadelphia, PA 19101-1700

Receiving bank:

Citibank
ABA # 031100209
Acct # 38797019

Please reference your US Sprint account numbers.

19-Jun-89
800 Telepatch Receivables Projections

BALANCE	\$258,907.54 as of 6/20/89
	\$41,000.00 payment 6/21

	\$217,907.54
	\$14,000.00 payment 6/28

	\$203,907.54
	\$14,000.00 payment 7/8

	\$189,907.54
	\$14,000.00 payment 7/16

	\$175,907.54
	\$40,000.00 new monthly usage posting

	\$215,907.54
	\$14,000.00 payment 7/23

	\$201,907.54
	\$14,000.00 payment 7/28 agreed to revisit

	\$187,907.54
	\$14,000.00 payment 8/7

	\$173,907.54
	\$14,000.00 payment 8/14

	\$159,907.54
	\$40,000.00 new monthly usage posting

	\$199,907.54

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings for failure to file 1988 annual reports:)	
)	
-ADVANCED COMMUNICATIONS TECHNOLOGIES	)	DOCKET NO. 890556-TI
-ALL FLORIDA TEL COMPANY	)	DOCKET NO. 890557-TI
-COMMUNICATIONS PLANNING CORPORATION	)	DOCKET NO. 890562-TI
-CONSOLIDATED COMMUNICATIONS OF LEE COUNTY, INC.	)	DOCKET NO. 890563-TI
-CORPORATE EXECUTIVE OFFICES, INC.	)	DOCKET NO. 890564-TI
-FLORIDA DIGITAL NETWORK	)	DOCKET NO. 890566-TI
-FUTURE TELECOMMUNICATIONS, INC.	)	DOCKET NO. 890567-TI
	)	ORDER NO. 21425
	)	ISSUED: 6-23-89

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
THOMAS M. BEARD
BETTY EASLEY
GERALD L. GUNTER
JOHN T. MERNDON

ORDER INITIATING SHOW CAUSE PROCEEDINGS

BY THE COMMISSION:

Rule 25-24.000, Florida Administrative Code (the Rule), requires that each interexchange carrier (IXC) file reports with this Commission. The reports, due on January 31st of each year, require basic company information as well as construction and capacity data.

On December 19, 1988, Staff sent a memorandum to all certificated IXCs directing their attention to the Rule. The memorandum included a copy of the Rule, and a "fill in the blank" annual report form to help simplify the IXC's task. On February 9, 1989, Staff sent a second notice to 49 IXCs that failed to respond to the initial letter by the required January 31, 1989 filing date. The second letter warned the IXCs that if they did not comply with the Rule and submit an annual report, the Commission would impose a fine or possibly cancel their certificates. Again, this letter included a copy of the Rule and an annual report form, as well as the name of a Staff member who would be available to answer any questions the IXC may have.

It appears that the IXCs listed in the caption of this Order have failed to respond to either letter. We do not tolerate such a total disregard of our rules by regulated utilities, and if necessary, we are compelled to cancel the certificates of IXCs that ignore our rules. Given the lack of response by the IXCs listed above, we are led to consider whether they are still providing service in Florida. We find it appropriate, pursuant to Section 364.285, Florida Statutes, to require these IXCs to show cause why they should not be required to pay \$10,000 and have their certificates revoked. Each company must file its written response by July 12, 1989.

DOCUMENT NUMBER-DATE

06172 JUN 22 1989

FPSC-RECORDS/REPORTING

ORDER NO. 21425
DOCKETS NOS. 890556-TI, 890557-TI, 890562-TI, 890563-TI,
890564-TI, 890566-TI AND 890567-TI
PAGE 2

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the interexchange carriers listed in the caption of this docket shall show cause in writing why a \$10,000 fine should not be assessed against each and why its certificate should not be revoked for its failure to file timely reports required by Rule 25-24.400, Florida Administrative Code, and for its failure to respond to Commission correspondence. It is further

ORDERED that the written responses to this show cause order by the interexchange carriers listed in the caption of this docket must be received by the Director of Records and Reporting, 101 E. Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 12, 1989. It is further

ORDERED that any response filed by the interexchange carriers listed in the caption of this docket must contain specific statements of law and fact. It is further

ORDERED that the failure by any of the interexchange carriers listed in the caption of this docket to file a written response within the prescribed time period will constitute an admission of noncompliance and a waiver of any right to a hearing. It is further

ORDERED that the failure by any of the interexchange carriers listed in the caption of this docket to request a hearing in any written response that is submitted will constitute a waiver of any right to a hearing.

By ORDER of the Florida Public Service Commission,
this 22nd day of JUNE, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

By Kay Flynn
Chief, Bureau of Records

DLC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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

ORDER NO. 21425
DOCKETS NOS. 890556-TI, 890557-TI, 890562-TI, 890563-TI,
890564-TI, 890566-TI AND 890567-TI
PAGE 3

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.

This order is preliminary, procedural or intermediate in nature. Any person whose substantial interests are adversely affected by the action proposed by this order may file a petition for a formal proceeding pursuant to Rule 25-22.037(1), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 181 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 12, 1989. Failure to respond by July 12, 1989 shall constitute a admission of all facts and a waiver of the right to a hearing pursuant to Rule 25-22.037(2), Florida Administrative Code, and a default pursuant to Rule 25-22.037(3), Florida Administrative Code, and a default pursuant to Rule 25-22.037(4), Florida Administrative Code. Such default shall be effective on July 13, 1989. Moreover, the failure to request a hearing in any petition that is filed will constitute a waiver of any right to a hearing.

If an adversely affected person fails to respond to this order within the time prescribed above, that party may request judicial review by the Florida Supreme Court in the case of any electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer 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 of the effective date of the default date set forth in 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.



20001 Biscayne Boulevard, North Miami Beach, Florida 33160, Telephone (305) 938-2626, FAX (305) 938-3286, TELELEX: 529013

August 16, 1989

Mr. Stan Greer
Public Service Commission
Division of Communications
101 East Gaines Street
Tallahassee, FL 32399-0866

RECEIVED

AUG 17 1989

Florida Public Service Commission
Communication Department

RE: Corporate Executive Offices, Inc.
Docket #890564-TI

Dear Mr. Greer:

Pursuant to our conversations of yesterday and today, the following describes the circumstances, conditions and occurrences with respect to Corporate Executive Offices, Inc., as an Interexchange Carrier, and in regard to our standing with the Regulatory Commission and the filing of appropriate paper work.

As early as May 15 of 1988, Corporate Executive Offices, Inc., (hereinafter referred to as CEO), made its commitment to become licensed as a provider of Long Distance Services (Interexchange Carrier). We did not take on this endeavor or commitment lightly; every effort was made and continues to be made to abide by the rules and regulations of the Public Service Commission (PSC).

The initial filing of CEO's Tariff on June 6, 1988 marked only the beginning of our pledge to provide quality services. Time and energy was then devoted to the installation of the appropriate software and hardware, and countless hours of work involved in establishing an operation of such magnitude. After only cursory changes in the Tariff, it was approved on October 21, 1988. We began reselling service on December 1, 1988.

On January 25, 1989, we timely filed our first Regulatory Assessment Fee Return, covering the period July 1 through December 31, 1988. Enclosed with CEO's report was a check in the amount of \$25.00. (See Exhibit A.)

Mr. Stan Greer
Public Service Commission
Division of Communications
August 16, 1989
Page 2

RE: Corporate Executive Offices, Inc.
Docket #890564-TI

On January 26, 1989, we timely filed our first Annual Report. Since this report was requesting information only and no payment (which cancelled check could be used as verification of receipt), our file copy was notarized, as to the date sent, by the controller of the corporation, which is standard company policy on all documents sent to regulatory agencies wherein a check is not indicated. (See Exhibit B). Since we were filing the report near the January 31, 1989 deadline, we inquired as to the need to direct this document via Federal Express, and were instructed that this was not required.

On April 17, 1989, CEO complied with a request to provide an information data base update on inter-exchange carrier service arrangements. See Exhibit C. Please note that our file copy, copy of which we are enclosing, displays the completion date and notarized submission date, pursuant to CEO's corporate procedures.

On June 22, 1989, CEO filed its second Regulatory Assessment Fee Return, covering the period January 1 through June 30, 1989, and enclosed a check in the amount of \$31.06. See Exhibit D.

Up through this point, we had no indication that we were in violation of any procedure or policy set forth by the PSC. From time to time, we had received correspondence from the commission on various issues, such as those affecting AOS Providers or Local Exchange Carriers, for example, but received no indication of an inconsistency in the filing of various required materials. However, on August 15, 1989, we did receive a memorandum, dated August 11, 1989, (See Exhibit E), an Initiation of Show Cause Proceedings against Corporate Executive Offices, Inc. for failure to comply with the 1988 Annual Report Requirements.

We instantaneously contacted the assigned staff member, Mr. Crosby, whose office indicated he was on vacation. We then left word for Mr. Hatch, assigned to Mr. Crosby's cases during his vacation, to call in response to this matter as soon as possible. We then further contacted you, Mr. Greer, to discuss the implications of this situation. CEO's initial desire was to immediately FAX a copy of the Annual Report to your office, which you indicated was not yet necessary.

Mr. Stan Greer
Public Service Commission
Division of Communications
August 16, 1989
Page 3

RE: Corporate Executive Offices, Inc.
Docket #890564-TI

Pursuant to our discussion yesterday, you have indicated that previous correspondence between the PSC and our office had taken place, indicating that we were allegedly delinquent in the filing of our report, and providing an avenue of response to CEO. However, as we relayed to you yesterday, we were in receipt of no such correspondence or unquestionably would have replied. In light of the fact that we have complied with all other correspondence and requirements set forth by the PSC, there would be no demonstration that we would not have responded likewise to any and all such correspondence from the PSC. CEO views every item received from the PSC as significant, be it information on a type of service which has no bearing on Interexchange Carriers, or compliance with a required report to which we most definitely respond.

We are in receipt of your FAX'd copy of a Certified Return Receipt Requested form, indicating receipt of a document signifying that we were in default of compliance with the requirement to file an Annual Report. We neither received the document, nor have any knowledge of the signature indicated on the form.

At this point, it is also imperative to briefly describe certain conditions which may have bearing on our not receiving the proper notification:

CEO is located in the fastest growing area of Dade County, the Aventura area of North Miami Beach. We have had, on several occasions, difficulty with the proper handling of mail through the Postal Service.

Mr. Stan Greer
Public Service Commission
Division of Communications
August 16, 1989
Page 4

RE: Corporate Executive Offices, Inc.
Docket #890564-TI

The post office has been overwhelmed by the amount of mail received in the area, and is currently completed the construction of a branch facility nearby and considering construction of an Aventura Branch. Due to the extreme inundation of mail, the postal service has at times been compromised in quality and timeliness. To complicate an already difficult existing condition, another tenant located on a different floor of our building, by the name of Corporate Securities, often receives our mail, and vice versa. We have attempted to clarify with the Postal Service the proper handling of our mail, but due to a constant turnover of postal employees, mistakes can unfortunately be made.

At this point, we have no way to determine the exact route of the lost paperwork, either the Annual Report we sent you, or the correspondence sent to our office. Due to several contributing factors, we are now faced with responding to the allegations that we had not filed our Annual Report timely, although we had no indication of this, prior to August 15, 1989. Had we an indication, we certainly would have responded promptly to such a request, as we are now responding instantaneously to our receipt of yesterdays Show Cause Order. We view this situation with all seriousness, as we certainly do not wish to proceed in any manner that would compromise our standing with the PSC or as a licensed Interexchange Carrier.

We submit that throughout our short time of being licensed by the PSC, we have, to the best of our knowledge, filed all reports and informational requests in a timely and accurate manner. We hereby request that you favorably consider our genuine efforts to rectify this situation immediately. Therefore, we are responding in kind, and appreciate your prompt and duly justified exoneration of Corporate Executive Offices, Inc. in this matter.

Respectfully,



Robin E. Sanders
Managing Director

RES/db IO76/9RES-890816

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings for failure to file 1988 annual reports:)	
LAYNE COMMUNICATIONS CORPORATION	)	DOCKET NO. 890561-TI
MCN SERVICES, INC.	)	DOCKET NO. 890569-TI
NETRO LINE, INC.	)	DOCKET NO. 890570-TI
TELEFIND CORPORATION	)	DOCKET NO. 890575-TI
TRIPLE A MANAGEMENT ASSOCIATES	)	DOCKET NO. 890576-TI
SHARED NETWORK TECHNOLOGIES INC.	)	DOCKET NO. 890577-TI
	)	ORDER NO. 21424
	)	ISSUED: 6-22-89

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
THOMAS W. BEARD
BETTY EASLEY
GERALD L. GUNTER
JOHN T. MERNDON

ORDER INITIATING SHOW CAUSE PROCEEDINGS

BY THE COMMISSION:

Rule 25-24.480, Florida Administrative Code (the Rule), requires that each interexchange carrier (IXC) file reports with this Commission. The reports, due on January 31st of each year, require basic company information as well as construction and capacity data.

On December 19, 1988, Staff sent a memorandum to all certificated IXCs directing their attention to the Rule. The memorandum included a copy of the Rule, and a "fill in the blank" annual report form to help simplify the IXC's task. On February 9, 1989, Staff sent a second notice to 49 IXCs that failed to respond to the initial letter by the required January 31, 1989 filing date. The second letter warned the IXCs that if they did not comply with the Rule and submit an annual report, the Commission would impose a fine or possibly cancel their certificates. Again, this letter included a copy of the Rule and an annual report form, as well as the name of a Staff member who would be available to answer any questions the IXC may have.

It appears that the IXCs listed in the caption of this Order have failed to respond to either letter. We do not tolerate such a total disregard of our rules by regulated utilities, and if necessary, we are compelled to cancel the certificates of IXCs that ignore our rules. Given the lack of response by the IXCs listed above, we are led to consider whether they are still providing service in Florida. We find it appropriate, pursuant to Section 366.285, Florida Statutes, to require these IXCs to show cause why they should not be required to pay \$10,000 and have their certificates revoked. Each company must file its written response by July 12, 1989.

ORDER NO. 21424
DOCKET NO. 890561-TI, 890569-TI, 890570-TI, 890575-TI,
890576-TI AND 890577-TI
PAGE 2

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the interexchange carriers listed in the caption of this docket shall show cause in writing why a \$10,000 fine should not be assessed against each and why its certificate should not be revoked for its second failure to file timely reports required by Rule 25-24.480, Florida Administrative Code, and for its failure to respond to Commission correspondence. It is further

ORDERED that the written responses to this show cause order by the interexchange carriers listed in the caption of this docket must be received by the Director of Records and Reporting, 101 E. Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 12, 1989. It is further

ORDERED that any response filed by the interexchange carriers listed in the caption of this docket must contain specific statements of law and fact. It is further

ORDERED that the failure by any of the interexchange carriers listed in the caption of this docket to file a written response within the prescribed time period will constitute an admission of noncompliance and a waiver of any right to a hearing. It is further

ORDERED that the failure by any of the interexchange carriers listed in the caption of this docket to request a hearing in any written response that is submitted will constitute a waiver of any right to a hearing.

By ORDER of the Florida Public Service Commission,
this 22nd day of JUNE, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

by Kase Flynn
Chief, Bureau of Records

DLC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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

ORDER NO. 21424
DOCKET NO. 890561-TI, 890569-TI, 890570-TI, 890575-TI,
890576-TI AND 890577-TI
PAGE 3

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.

This order is preliminary, procedural or intermediate in nature. Any person whose substantial interests are adversely affected by the action proposed by this order may file a petition for a formal proceeding pursuant to Rule 25-22.037(1), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 181 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 12, 1989. Failure to respond by July 12, 1989 shall constitute a admission of all facts and a waiver of the right to a hearing pursuant to Rule 25-22.037(3), Florida Administrative Code, and a default pursuant to Rule 25-22.037(2), Florida Administrative Code, and a default pursuant to Rule 25-22.037(4), Florida Administrative Code. Such default shall be effective on July 12, 1989. Moreover, the failure to request a hearing in any petition that is filed will constitute a waiver of any right to a hearing.

If an adversely affected person fails to respond to this order within the time prescribed above, that party may request judicial review by the Florida Supreme Court in the case of any electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer 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 of the effective date of the default date set forth in this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.000(a), Florida Rules of Appellate Procedure.

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out, however, I neglected to follow up on this, and the report was not filed.

I did speak with someone earlier this year from the PSC office (I failed to make note of his name) regarding a form which he had not received. I advised him that we had not begun doing business as yet, and that we anticipated beginning business in the 3rd or 4th quarter of this year. He said he would mark his file accordingly.

Metro Line, Inc. did file its Interexchange Carriers Regulatory Assessment Fee Return in a timely fashion, citing no revenues and enclosing our minimum fee of \$25.00.

75

DOCUMENT NUMBER-DATE
06857 JUL 12 1989
FPSC-RECORDS/REPORTING

ORDER NO. 21424
DOCKET NO. 890561-TI, 890569-TI, 890570-TI, 890575-TI,
890576-TI AND 890577-TI
PAGE 3

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.

This order is preliminary, procedural or intermediate in nature. Any person whose substantial interests are adversely affected by the action proposed by this order may file a petition for a formal proceeding pursuant to Rule 25-22.037(1), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 12, 1989. Failure to respond by July 12, 1989 shall constitute an admission of all facts and a waiver of the right to a hearing pursuant to Rule 25-22.037(3), Florida Administrative Code, and a default pursuant to Rule 25-22.037(3), Florida Administrative Code, and a default pursuant to Rule 25-22.037(4), Florida Administrative Code. Such default shall be effective on July 12, 1989. Moreover, the failure to request a hearing in any petition that is filed will constitute a waiver of any right to a hearing.

If an adversely affected person fails to respond to this order within the time prescribed above, that party may request judicial review by the Florida Supreme Court in the case of any electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer 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 of the effective date of the default date set forth in 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.

**ORIGINAL
FILE COPY**

**METRO LINE, INC.
14217 COUNTRY ESTATE DRIVE
WINTER GARDEN, FL 34787
407/877-3367**

July 10, 1989

RECEIVED

JUL 13 1989

Florida Public Service Commission
Communication Department

Director, Division of Records
and Reporting
101 East Gaines Street
Tallahassee, FL 32399-0870

In Re: Initiation of show cause proceedings for
failure to file 1988 annual report:

DOCKET NO. 890569-TI
ORDER NO. 21424
ISSUED: 6-22-89

Dear Director:

This letter is in response to the above captioned proceedings. I have been advised by Mr. Mike Reith earlier today that a letter response would be acceptable and in compliance with the Commission's requests.

Metro Line, Inc. did, in fact, fail to return the completed IXC Annual Report (1988) Information in a timely manner. I personally handed the form over to someone in my office to fill out, however, I neglected to follow up on this, and the report was not filed.

I did speak with someone earlier this year from the PSC office (I failed to make note of his name) regarding a form which he had not received. I advised him that we had not begun doing business as yet, and that we anticipated beginning business in the 3rd or 4th quarter of this year. He said he would mark his file accordingly.

Metro Line, Inc. did file its Interexchange Carriers Regulatory Assessment Fee Return in a timely fashion, citing no revenues and enclosing our minimum fee of \$25.00.

75

DOCUMENT NUMBER-DATE

06857 JUL 12 1989

FPSC-RECORDS/REPORTING

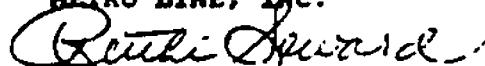
July 10, 1989
Director, Division of Records
and Reporting
Page Two

The IXC Annual Report (1988) Information has been completed and is attached. It should be noted that "Have not commenced doing business" is the applicable response in several instances on the form.

Metro Line, Inc. did not totally willfully disregard the rules and regulations of the Florida Public Service Commission, but has in fact found itself guilty of internal miscommunication, and begs the Commission to review this matter and enter a finding favorable to Metro Line, Inc.

Sincerely,

METRO LINE, INC.



Ruthi Seward
President

RS/me
Enclosures



advanced communications technologies

July 12, 1989

Via Fax No. (904) 487-0509 and
Regular Mail

Florida Public Service Commission
Director of Records and Reporting
101 East Gaines Street
Tallahassee, Florida 32399-0870

ATTN: Stan Greer

RE: Show Cause Request - Docket No. 890556-TI
Advanced Communications Technologies

Dear Mr. Greer:

On Friday, July 7, 1989, I received the above-referenced document. My office is not at the address you have shown, and apparently, someone signed for this document and forwarded it on to me.

I note in the aforementioned document that two requests had been sent prior to this one, but I have never seen them.

While I most assuredly want to comply with these requests, I am not sure what I am suppose to do, not having the forms referred to in the Show Cause Request.

We are shared tenant phone providers and we are not an IXC. We do not resell long distance services through any other IXC. We prefer that the tenants in the building that use our phone equipment make their own arrangements for long distance service.

On July 12-14, 1989, I will be out of town, but I will call you for direction on Monday, July 17th.

Thank you for your assistance in our telephone conversation yesterday regarding this matter.

RECEIVED

JUL 13 1989

Florida Public Service Commission
JPC/pbg Communications Department

Very truly yours,

James P. Cash / pbg
James P. Cash
President

Advanced Communications Technologies

09/11/89 STATE OF FLORIDA CORPORATE DOCUMENT 14:36:59
DOCUMENT NUMBER: H61443 FILED DATE: 06/10/1985
STATUS: INVOLUNTARILY DISSOLVED.....ON 11/16/1987 FOR PROFIT
LAST 3 A.R.'S FILED -----> 1986-07/22/1986 0000-00/00/0000 0000-00/00/0000
--- CORPORATE NAME --- STATE OF INC
ADVANCED COMMUNICATIONS TECHNOLOGIES, INC. FL

--- CORPORATE ADDRESS ---

X LEON A. WILLIARSON, JR.
601 S. FREMONT AVENUE
TAMPA, FL 33606

AUTHORIZED STOCK: 10,000 SHARES @ \$1.00

--- REGISTERED AGENT ---

WILLIARSON, LEON A. .JR.
601 S. FREMONT AVENUE
TAMPA, FL 33606

----- THIS IS NOT OFFICIAL RECORD! SEE DOCUMENTS IF QUESTION OR CONFLICT -----
1. RETURN TO NAME PAGE 4. NOT AVAILABLE 7. VIEW OFFICERS
2. VIEW AMENDMENT HISTORY 5. NOT AVAILABLE 8. RETURN TO COR MENU
3. NOT AVAILABLE 6. VIEW NEXT CORPORATE RECORD IN ALPHA SEQUENCE

09/11/89 STATE OF FLORIDA CORPORATE DOCUMENT 14:37:57
DOCUMENT NUMBER: J38622 FILED DATE: 10/21/1986
STATUS: INVOLUNTARILY DISSOLVED.....UN. 11/23/1987 FOR PROFIT
LAST 3 A.R.'8 FILED -----> ** NONE FILED **
--- CORPORATE NAME: --- STATE OF INC
A.L. FLORIDA TEL CO. FL

--- CORPORATE ADDRESS ---
224 SOUTH COMMERCE AVE. 33870
SEBRING, FL

AUTHORIZED STOCK: 100 SHS & NPV
--- REGISTERED AGENT ---
VALETTA, BERNARDO A. JR.
224 SOUTH COMMERCE AVENUE
SEBRING, FL 33870

--- THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT ---
1. RETURN TO HOME PAGE 4. NOT AVAILABLE 7. VIEW OFFICERS
2. VIEW AMENDMENT HISTORY 5. VIEW SCRATCH PAD INDEX 8. RETURN TO COR MENU
3. NOT AVAILABLE 6. VIEW NEXT CORPORATE RECORD IN ALPHA SEQUENCE

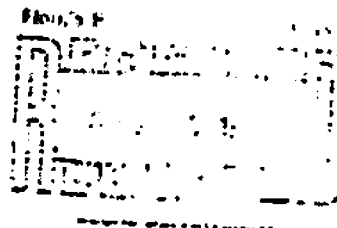
ShareNet

SHARED NETWORK TECHNOLOGIES, INC.

500
Suite 400
35 Glenlake Parkway
Atlanta, Georgia 30328
(404) 868-2000

August 4, 1989

Mr. Donald Crosby
Public Service Commission of Florida
Division of Legal Services
Room 226
101 East Gaines Street
Tallahassee, Florida 32399-0863



Dear Don:

Please accept my sincere appologies for not responding to the previous communications to Shared Network Technologies, Inc. you mentioned in our phone conversation today. As I mentioned, all of Shared Network Technologies, Inc.'s mail is forwarded to ShareNet, Inc. in Clearwater, Florida. I have asked, on several occasions, that they forward mail to us that does not belong to them, but they have failed to do so. As a result, I have not seen the correspondence you referred to.

Please consider this as an official request to have the certificate of Shared Network Technologies, Inc. cancelled. On October 1, 1988 Shared Network Technologies, Inc. sold its assets and customer contracts in Tampa, Florida to Centres Communications, Inc. On December 1, 1988 we sold our remaining assets in Atlanta to Shared Network Services, Inc., an affiliate of Centres.

Shared Network Technologies, Inc. no longer has any operations in Florida or elsewhere, and, therefore, requests that the certificate with the Public Service Commission of Florida be cancelled.

If you require additional information, please call me at (404) 393-1430.

Yours very truly,

Duffy G. Elliott
Former Owner's Representative

DGE/gf

xc: file

09/11/89 STATE (W FLORIDA CORPORATE DOCUMENT 14:41:12
DOCUMENT NUMBER: K08805 FILED DATE: 12/22/1987
STATUS: INVOLUNTARILY DISSOLVED.....(W 11/04/1988 FOR PROFIT
LAST 3 A.R.'S FILED -----> ** NONE FILED **
----- CORPORATE NAME ----- STATE OF INC
CONSOLIDATED COMMUNICATIONS OF LEE COUNTY, INC. FL

----- CORPORATE ADDRESS -----
C/O K. BRUCE BAKER
15581 PINE RIDGE ROAD 33908
FT. MYERS, FL
AUTHORIZED STOCK: 100 SHARES AT \$10.00
----- REGISTERED AGENT -----
BAKER, K. BRUCE
15581 PINE RIDGE ROAD 33908
FT. MYERS, FL

----- THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT -----
1. RETURN TO NAME PAGE 4. NOT AVAILABLE 7. VIEW OFFICERS
2. VIEW AMENDMENT HISTORY 5. NOT AVAILABLE 8. RETURN TO COR MENU
3. NOT AVAILABLE 6. VIEW NEXT CORPORATE RECORD IN ALPHA SEQUENCE



Communication
Planning
Corporation

Consulting • System Design • Management

July 6, 1989



Communication
Planning
Corporation

Consulting • System Design • Management

FRANK D. BISHOP, III

8659 Baypine Road, Suite 305 • Jacksonville, FL 32216
(904) 733-9090

Mr. Walter D'Hasselaar
Director of Communications
State of Florida Public Service Commission
Division of Communications
Fletcher Building
101 East Gaines Street
Tallahassee, FL 32399-0866

Tel. (904) 488-1280

RE: COMMISSION RULE 25-24.480(5) AND (6) REQUIRING ANNUAL
REPORTS TO BE RECEIVED FROM ALL INTEREXCHANGE
COMPANIES (IXCS) BY JANUARY 31, 1989 (DOCKET NO.
890562-TI ORDER NO. 21425 ISSUED 6-23-89).

Dear Mr. D'Hasselaar:

Please review this package for a clarification. We have received a copy of ORDER INITIATING SHOW CAUSE PROCEEDINGS on June 26, 1989 (attachment A). This copy indicated that Communication Planning Corporation had failed to file the annual report before January 31, 1989. **THIS IS NOT CORRECT.** Communication Planning Corporation filed our annual report prior to January 31, 1989 (attachment B).

*WHY DIDN'T
THEY ANSWER
OUR LATE
NOTICE?*

As a point of historical record, we received your letter December 2, 1988 on this matter (attachment C). We responded on December 6, 1988 in a letter to you (attachment D). We received a memorandum from you with the forms for the annual reports, dated December 19, 1988 on December 21, 1988 (attachment E). We responded to your request with your forms (see attachment B). In addition, we requested that Communication Planning Corporation Certificate No. 1533 be placed on inactive status in a letter to Mark Long on December 8, 1988 (attachment F).

RECEIVED
JUL 10 10 45 AM '89

82

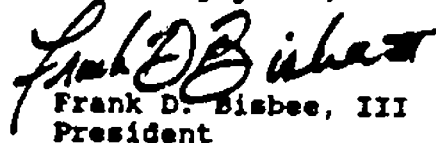
Mr. D'Haeseleer
Page 2
July 6, 1989

We wish to cooperate fully with the Commission. We feel that we have taken all reasonable steps necessary to comply with the Commission. This appears to be a case of "The Misplaced Report". I can understand how that can happen, particularly after my conversation with Mr. Chris Holman, Field Service Representative for The Florida Public Service Commission (see attachment F). Mr. Holman came to our office to verify that we had paid our annual fee. Apparently, Tallahassee had a mix-up in the records. In an effort to assist Mr. Holman we provided him with the cover letter and forms, including a copy of the check which paid our license fee (see attachment H).

In summary, we feel that we are in compliance with the rules and requests from the Commission and we wish to continue to comply and cooperate fully. We hope that this correspondence clearly shows cause why Communication Planning Corporation should not be required to pay any fines or have their certificate revoked (re: DOCKET NO. 890562-TI ORDER NO. 21425 ISSUED: 6-23-89).

If you have any questions, please feel free to call me, Ray Carter, Verl Moser, or Anna Bisbee at (904) 733-9090. Our 24 hour On-line FAX # (904) 733-3683. With warmest regards, I remain

Sincerely yours,


Frank D. Bisbee, III
President

FDB/jkb

cc: Ray Carter
Verl Moser
Anna Bisbee

* Mr. Steve Tribble
Director
Division of Records & Reporting
101 East Gaines Street
Tallahassee, FL 32399-0870

Mr. Don Crosby, Esq. (904) 487-2740
Senior Atty, Legal Division
101 East Gaines Street
Suite 226
Tallahassee, FL 32399-0850

* Package to be sent Certified Mail, Return Receipt Requested

Mr. D'Haeseleer
Page 3
July 6, 1989

- Attachments: A - copy, ORDER INITIATING SHOW CAUSE PROCEEDINGS
- B - copy, IXC Annual Report (1988) Information
- C - copy, PSC Letter dated 12/2/88
- D - copy, CPC Letter dated 12/6/88 to Walter D'Haeseleer
- E - copy, CPC Letter dated 12/6/88 to Mark Long
- F - copy, CPC Memorandum dated 6/2/89
- G - copy, PSC Memorandum dated 12/19/88
- H - copy, CPC Letter dated 1/30/89 w/copies of enclosures

State of Florida

Commissioners
KATIE NICHOLS, CHAIRMAN
THOMAS M. BEARD
GERALD L. (JERRY) GUNTER
JOHN T. HEARDON
MICHAEL McK WILSON



DIVISION OF COMMUNICATIONS
DIRECTOR, WALTER D'HAESELEER
(904) 488-1280

Public Service Commission

**ATTACHMENT
C**

December 2, 1988

Mr. Ray Carter
Communications Planning Corp.
8659 Baypine Road, Suite 305
Jacksonville, Florida 32216

Dear Mr. Carter:

The Florida Public Service Commission (FPSC) issued Chapter 25-24 of its rules governing interexchange carriers on February 23, 1987. A copy and request that all certificated interexchange carriers come into compliance with those rules was subsequently mailed to each company. Companies certificated after this date were sent a copy of these rules with their application for certification.

Further, your company was issued a specific request on June 13, 1988 to bring your tariff in compliance with Rule 25-24.485 regarding its format. We have not received your revised tariff as of this date so we must inform you that you are in violation of Commission Rule 25-24.485 which carries a penalty of a fine not to exceed \$5,000.00 per day of violation.

Submit your revised tariff no later than December 17, 1988. Please call Mark Long or Steven Brown at (904) 488-1280 upon receipt of this letter.

Sincerely,

WALTER D'HAESELEER
Director

cc: Mark Long
Steven Brown

MD'H/bg

DUPLICATE



Communication
Planning
Corporation

Consulting • System Design • Management

ATTACHMENT
D

December 6, 1988

Mr. Walter D'Haeseleer
Director
Public Service Commission
Division of Communications
Fletcher Building
101 East Gaines Street
Tallahassee, FL 32399-0866

DUPLICATE

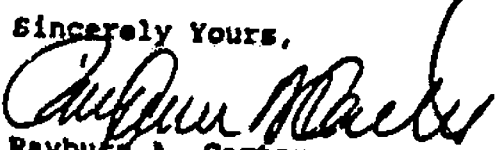
Dear Sir:

In re your letter of December 2, 1988, (Copy enclosed), please be advised that we have not received the request referred to in paragraph two of the letter regarding PSC issued Chapter 25-24 of its rules governing interexchange carriers.

I have included a copy of a letter sent to your office in February of 1988, in which we informed you that the status of Certificate No. 1533 was inactive. We are not active at this time and have no plans to re-activate the certificate in the immediate future.

We have written and spoken to numerous members of your staff about this situation and apparently there remains some confusion, either at our end or at yours. Please advise us as to the proper course of action required of this office so that we may comply with your requirements.

Thank you for your patience and assistance.

Sincerely Yours,

Rayburn A. Carter



Communication
Planning
Corporation

ATTACHMENT
E

Consulting • System Design • Management

December 6, 1988

Mr. Mark Long
Public Service Commission
Division of Communications
Fletcher Building
101 East Gaines Street
Tallahassee, FL 32399-0866

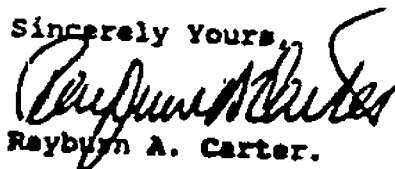
Dear Mr. Long:

Confirming our telephone conversation of this date, please be advised that Certificate No. 1533, held by Communication Planning Corporation was placed on inactive status in February of 1988 (copy of letter enclosed). At present we are still inactive and are not providing service of any kind to anyone under this certificate.

As per your instructions, I will await further direction from your office before taking action on the letter dated December 2, 1988, (copy enclosed).

Thank you for your prompt attention to this matter.

Sincerely Yours,


Rayburn A. Carter.

DUPLICATE

ATTACHMENT
F

M E M O R A N D U M

TO: Anna Bisbee
FROM: Frank Bisbee *fw*
DATE: Friday June 2, 1989
RE: Meeting with PSC Representative

Received an unexpected visitor from the Florida Public Service Commission. A gentleman who identified himself as Mr. Chris Holman, Field Service Representative for Florida PSC. Mr. Holman wanted to verify that CPC had paid its annual license fee for the Certificate of Public Convenience and Necessity as a provider of telecommunications services.

Mr. Holman and I had a nice chat. We produced the cancelled check for our annual fee and reviewed our annual report. Additionally, we discussed the fact that our business venture to provide telephone service had not "gotten off the ground" yet due to a lack of funds. I explained that we were still pursuing a possible business in this area. However, to date we had not provided any service to any subscriber as a telephone service company.

Mr. Holman said there were substantial screw ups in Tallahassee on recording the information he reviewed with us and if we had any questions, we could call him at (904) 488-1280.

DUPLICATE

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause)
proceeding for failure to file 1988)
annual report:)
TELEFIND CORPORATION)
_____)

DOCKET NO. 890575-TI
ORDER NO. 21424-A
ISSUED: 7-19-89

AMENDATORY ORDER

BY THE COMMISSION:

On June 22, 1989, we issued Order No. 21424 involving the above-referenced docket. The copy of Order No. 21424 which we sent to Telefind Corporation was returned as undeliverable. Our Staff has determined that the company has relocated to a new address, and it will make a second attempt to send a copy of Order No. 21424 to the company.

The original response deadline needs to be extended in order to furnish the company with an adequate opportunity to prepare and file its response. Accordingly, a new 20-day response period commencing with the issuance date of this Order is established, and the company will have until August 8, 1989, to file its response to Order No. 21424.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. 21424, issued June 22, 1989, is hereby amended to furnish Telefind Corporation an additional 20-day period in which to show cause in writing why a \$10,000 fine should not be assessed against it and why its certificate should not be revoked for its second failure to file timely reports required by Rule 25-24.480, Florida Administrative Code, and for its failure to respond to Commission correspondence. It is further

ORDERED that the written response to this show cause order by Telefind Corporation must be received by the Director of Records and Reporting, 101 E. Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 8, 1989. It is further

ORDERED that Order No. 21424, issued June 22, 1989, is hereby affirmed in all other respects.

DOCUMENT NUMBER-DATE

89

07229 JUL 19 1989

FPSC-RECORDS/REPORTING

ORDER NO. 21424-A
DOCKET NO. 890575-TI
PAGE 2

By ORDER of the Florida Public Service Commission,
this 19th day of July, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

DLC

by: Kay Ferguson
Chief, Bureau of Records

In re: Show Cause Proceedings against certain IXCs for violation of Commission Rule 25-24.000, F.A.C., 1987 annual report requirements)	
CAPRICORN COMMUNICATIONS ENGINEERING, INC.	)	DOCKET NO. 880168-T1
800 TELEPATCH SERVICE, INC.	)	DOCKET NO. 880373-T1
FLORIDA DIGITAL NETWORK, INC.	)	DOCKET NO. 880374-T1
INTERNATIONAL OFFICE NETWORKS	)	DOCKET NO. 880376-T1
SUN TEL COMMUNICATIONS CORP.	)	DOCKET NO. 880382-T1
TNI FLORIDA, INC.	)	DOCKET NO. 880387-T1
LAYNE COMMUNICATIONS COMPANY d/b/a COINPHONE SERVICES	)	DOCKET NO. 880388-T1
ALLTELCO, INC.	)	DOCKET NO. 880389-T1
	)	ORDER NO. 19913
	)	ISSUED: 6-20-88

The following Commissioners participated in the disposition of this matter:

KATIE NICHOLS, Chairman
THOMAS M. BEARD
GERALD L. GUNTER
JOHN T. HERRON
MICHAEL McK. WILSON

ORDER IMPOSING FINES

BY THE COMMISSION:

In December of 1987, a memorandum was sent to all certificated interexchange companies (IXCs) to advise them of the reporting requirements contained in Rule 25-24.000, Florida Administrative Code. That rule requires informational, construction and capacity reports by January 31st of each year. On February 10, 1988, another letter was mailed to each company that had not submitted the reports, requesting that the reports be filed by February 29, 1988. On March 23, 1988, orders initiating show cause proceedings were issued to companies that had still not submitted reports. Written responses to the show cause orders were required by April 13, 1988.

Eight IXCs responded to the show cause proceedings. These IXCs were:

Capricorn Communications Engineering, Inc.
800 Telepatch Service, Inc.
Florida Digital Network, Inc.
International Office Networks
Sun Tel Communications Corp.
TNI Florida, Inc.
Layne Communications Company d/b/a Coinphone Services
Alltelco, Inc.

Capricorn Communications Engineering, Inc. (Capricorn) has been trying to cancel its certificate for some time. Apparently, there have been communication lapses between our staff and this IXC. Due to this lack of communication between our staff and Capricorn, we will impose a \$1,000 fine upon the company but will suspend \$1,000 of this amount. Capricorn is directed to remit \$200 for failure to timely file the reports. Capricorn's certificate is also cancelled.

DOCUMENT # 7FR-517E

06242 JUN 20 88

FPSC-RECORDS/REPORTS

ORDER NO. 19513
DOCKETS NOS. 880368-TI, 880373-TI, 880374-TI, 880376-TI,
880382-TI, 880387-TI, 880388-TI, 880389-TI
Page 2

International Office Networks, Sun Tel Communications Corp., Layne Communications Company d/b/a Coinphone Services, and TMI Florida, Inc. have now submitted the required information. These IECs will be fined \$2,000 and \$1,000 of the amount will be suspended. These companies are directed to remit \$200 within 30 days of the date of this order. Failure to pay the amount within the time noted above will result in automatic cancellation of the company's certificate.

Florida Digital Network, Inc., Alltelco, Inc. and 800 Telepatch Service, Inc. have indicated they will file the reports as soon as possible. A \$2,000 fine is levied against these companies. We will suspend \$1,500 of this amount if the reports are filed by June 30, 1988. Each of these companies shall remit \$500 within 30 days of the date of this order. Failure to comply with the terms of this order will result in cancellation of the company's certificate. This Commission is authorized to levy a fine of up to \$5,000 per day for violation of Commission Rules. See Section 364.285, Florida Statutes.

Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the certificate of Capricorn Communications Engineering, Inc. is hereby cancelled. It is further

ORDERED that Capricorn Communications Engineering, Inc., International Office Networks, Sun Tel Communications Corp., Layne Communications Company d/b/a Coinphone Services and TMI Florida, Inc. are hereby assessed a fine of \$2,000, \$1,000 of which is hereby suspended. It is further

ORDERED that failure to remit \$200 by each of the above-listed utilities within thirty days shall result in cancellation of applicable certificates. It is further

ORDERED that Florida Digital Network, Inc., Alltelco, Inc. and 800 Telepatch Service, Inc. are hereby assessed a \$2,000 fine, \$1,500 of which is hereby suspended. It is further

ORDERED that failure to remit \$500 by each of the above-listed companies within thirty days shall result in cancellation of applicable certificates. It is further

ORDERED that each docket in this proceeding shall be closed thirty days from the date of this Order.

By ORDER of the Florida Public Service Commission this 28th day of JUNE, 1988.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RDV

ORDER NO. 19513
DOCKETS NOS. 880368-TI, 880373-TI, 880374-TI, 880376-TI,
880382-TI, 880387-TI, 880388-TI, 880389-TI
Page 3

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes (1985), as amended by Chapter 87-345, Section 1, Laws of Florida (1987), 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 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 or sewer 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.