

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause) DOCKET NO. 910888-TI
proceedings against INTEGRETTEL,) ORDER NO. PSC-92-0353-AS-TI
INC. for billing in excess of the) ISSUED: 05/13/92
interLATA rate cap.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON
BETTY EASLEY

FINAL ORDER APPROVING SETTLEMENT AGREEMENT

BY THE COMMISSION:

Integretel, Inc. (Integretel or the Company) has been a certificated interexchange carrier (IXC) since March 14, 1990. As a certificated IXC, Integretel is subject to our jurisdiction.

On May 16, 1991, a complaint was filed with the Division of Communications regarding overbilling and billing for collect calls that were not accepted by the receiving party. The calls in question were made from pay telephone were operated by Equal Access Corporation (Equal Access) pursuant to the various billing restrictions described in Order No. 24101. The calls were billed by integretel on behalf of Equal Access.

On October 11, 1991 we issued Order No. 25204 requiring Integretel to show cause why it should not be fined for violation of the interLATA rate cap defined in Order No. 20610. On October 31, 1992 Integretel filed various procedural motions. These motions were addressed at the March 24, 1992 agenda conference. On March 3, 1992 Integretel filed an appeal with the Division of Administrative Hearings (DOAH). On April 1, 1992 Integretel offered a settlement proposed in this docket.

Integretels offer addresses five specific issues as follows:

- 1) First, Integretel will abandon its challenge before DOAH. Essentially, Integretel will recognize our jurisdiction and will not protest our authority to apply Order No. 20610 to billing and collection agencies. Furthermore, Integretel will support and participate in generic rulemaking regarding alternative operator service providers and billing and collection companies.
- 2) Integretel will make tariff revisions to address charges made by pay telephone service (PATS) providers and will also make clarifications designed to ensure that the company will only bill on behalf of certificated telecommunications companies.

- 3) Integretel also describes the steps it has taken to improve service to endusers. These steps include a substantial increase in personnel devoted to servicing complaints, improvements in data processing and enhanced complaint procedures.
- 4) As part of its proposal, Integretel also describes its policies to ensure compliance with Commission requirements. Of necessity, these policies rely primarily upon Contractual provisions.
- 5) Finally, as part of the settlement, Integretel agrees to provide staff with specific information that had been requested as part of discovery in this docket.

We believes that under the specific, limited circumstances of this docket, this is an appropriate settlement proposal. The substance and origin of the violation were within the control of the client pay telephone service provider and not within the immediate control of Integretel. For this reason, we believe that a fine or cancellation of a certificate is not necessary. Furthermore, Integretel has provided documentation of substantial efforts on its part to ensure compliance on the part of its clientele and to improve service to endusers.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the settlement proposed referenced by this Order and described herein is hereby approved. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission, this 13th day of May, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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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.