

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: JANUARY 21, 1999

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (ISLER) *Pji*
DIVISION OF LEGAL SERVICES (K. PERA) *MCB for KP*

RE: DOCKET NO. 981142-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 4190 ISSUED TO HARJIT SINGH, FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

AGENDA: 02/02/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\981142.RCM

CASE BACKGROUND

Harjit Singh obtained Florida Public Service Commission Pay Telephone Certificate Number 4190 on July 12, 1995.

The Division of Administration mailed the 1997 regulatory assessment fee (RAF) notice by certified mail. Staff received the return receipt from the United States Postal Service (USPS) which showed that the RAF notice was signed for and delivered on December 13, 1997.

The Division of Administration advised staff by memorandum that this company had not paid its 1997 RAF, plus statutory penalties and interest for the year 1997.

DOCUMENT NUMBER-DATE

00757 JAN 21 99

FPSC-RECORDS/REPORTING

RECEIVED
60 JAN 21 12 10 PM '99
RECORDS

Order No. PSC-98-1547-FOF-TC was issued November 23, 1998 which imposed a \$500 fine for violation of Rule 25-4.0161, Florida Administrative Code or canceled the company's certificate. After the November 3, 1998 Agenda Conference, but prior to the Order being issued, staff received a letter from Mr. Singh requesting voluntary cancellation of the certificate and which enclosed a check for the 1997 and 1998 regulatory assessment fees, plus statutory penalty and interest charges. Mr. Singh stated that he was no longer in the pay telephone business. (ATTACHMENT A) Therefore, based on the company's response to the Order, staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant Harjit Singh a voluntary cancellation of its pay telephone certificate number 4190?

RECOMMENDATION: Yes. The Commission should grant Harjit Singh a voluntary cancellation of pay telephone certificate number 4190 with an effective date of November 9, 1998. (Isler)

STAFF ANALYSIS: Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

The Division of Administration notified staff by memorandum that North American had not submitted the regulatory assessment fees for 1997, along with statutory penalties and interest charges for the year 1997.

After the Commission voted to fine or cancel this company's certificate but prior to Order No. PSC-98-1547-FOF-TC being issued on November 23, 1998, the company paid the regulatory assessment fees for 1997 and 1998, plus the statutory penalty and interest charges and requested voluntary cancellation of its pay telephone certificate. The company advised staff that it is no longer in the pay telephone business. (ATTACHMENT A)

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Accordingly, staff believes the company's request for a voluntary cancellation of its pay telephone certificate should be granted with an effective date of November 9, 1998.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (K. Peña)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, no other issues remain unresolved and this docket should be closed.

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ATTACHMENT A

11/2/98

DEPOSIT DATE
DOSH NOV 09 1998

1416
100.00 RAF
18.00 P&I
11/3/98
AP
TF402

TO FLORIDA PUBLIC SERVICE COMMISSION

ATT PAULA ISLER

I AM SENDING A CHECK FOR \$118.00 FOR
FOR PAY PHONE CERTIFICATE FOR 1997 + 1998 I
WOULD ALSO LIKE TO VOLUNTARY TO CANCEL MY
CERTIFICATE, BECAUSE I AM NO LONGER IN
THE PAY PHONE BUSINESS.

I WOULD ALSO LIKE TO REQUEST IF ANY
FINE THAT ARE CHARGED AGAINST ME BE
WAIVED THIS BUSINESS WAS NOT FOR ME
I LOST MOST OF MY MONEY IN THIS BUSINESS
BY NOT HAVING EXPERIENCE

MY DOCKET # 981142-TC

THANKING YOU IN ADVANCE FOR YOUR HELP
IN RESOLVING THIS MATTER

THANK YOU

Paula Isler

Post Issue
RAR / 88

NOV -5 AM '98
MAIL ROOM