

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 1, 1999

RE: DOCKET NO. 990627-TC - Initiation of show cause proceedings against A. CoinPhone Services, Inc. for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service.

Issue 1: Should A. CoinPhone Services, Inc. be ordered to show cause why a fine of \$400 for apparent violations of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service, should not be imposed or Certificate No. 4954 should not be canceled?

Recommendation: Yes. The Commission should order CoinPhone to show cause in writing within 21 days of the date of the order why it should not have Certificate No. 4954 canceled or be fined \$400 for apparent violation of Rule 25-24.515, Florida Administrative Code. CoinPhone's response must contain specific allegations of fact or law. If CoinPhone fails to respond to the show cause, and the fine is not paid after reasonable collection efforts by the Commission, Certificate No. 4954 should be canceled. If the fine is paid it will be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]
Susan J. Clark
Joe Surca
J. Tom [unclear]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

06728 Jun 1 99

FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, then CoinPhone will have 21 days from the issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed or have its certificate canceled. If CoinPhone timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If the fine is paid, it should be forwarded to the Office of the Comptroller for deposit in the General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Staff recommends that if CoinPhone fails to respond to the Order to Show Cause, and the fine is not received within five business days after the expiration of the show cause response period, CoinPhone's certificate should be canceled and this docket closed.

APPROVED