ORIGINAL

STATE OF FLORIDA

DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

June 14, 2001

Mr. Robert D. Joyce
Bureau of Accounting
Office of the Comptroller
101 East Gaines Street
Tallahassee, Florida 32399-0350

Dear Mr. Joyce:

The Public Service Commission has exercised reasonable efforts to collect Regulatory Assessment Fees, penalties, interest and fines from the utility referenced below. However, no response has been received, and we believe that further collection efforts would not be cost effective.

DOCKET NUMBER	UTILITY NAME	AMOUNT
001317-TI	RJM Card Services, Inc.	$12,070.50

We respectfully submit the enclosed Delinquent Accounts Receivable Transmittal form, along with a memorandum from the Commission's Division of Legal Services and other supporting documentation. We request that, at your discretion, you either attempt further collection or grant this agency permission to write off the debt.

Sincerely,

Blanca S. Bayó

Blanca Bayo

APP
CAF
CMP
COM
CTR
ECR
LEG
OPC
PAI
RGO
SEC I
SER
OTH

BB:JK
Enclosures
cc: Division of Legal Services (Keating)
Division of Competitive Services (Buys)
Division of Administration (Knight)
Division of Records and Reporting

STATE OF FLORIDA
OFFICE OF THE COMPTROLLER
BUREAU OF AUDITING
DELINQUENT ACCOUNTS RECEIVABLE TRANSMITTAL

(PLEASE PRINT OR TYPE)

AGENCY: FLORIDA PUBLIC SERVICE COMMISSION DATE: 5/24/01

CONTACT: Karen Belcher, Finance and Accounting Director

PHONE NUMBER: 413-6273

SAMAS ACCOUNT CODE: 61 20 2 573003 610000 00 000300
61 74 1 000331 610000 00 001200

AGENCY REFERENCE # / COMPTROLLER USE ONLY	LAST NAME	FIRST	MIDDLE	SOCIAL SECURITY NUMBER
TJ221 001317-TI	RJM Card Services, Inc			

RJM Card Services, Inc 444 Brickell Avenue, Suite 210 Miami, FL 33131-2404

LAST KNOWN ADDRESS (INCLUDE ZIP)

HOME TELEPHONE	WORK TELEPHONE	PRINCIPLE AMOUNT	PENALTY/INTEREST AMOUNT	TOTAL
	(305)358-7788	$12,050	$12.50/$8.00	$12,070 50

PENALTY/INTEREST AUTHORITY	DATE DEBT INCURRED	DEBT TYPE
§ 364 285, F S	02/12/01	8

1999 REGULATORY ASSESSMENT FEE, PENALTIES AND INTEREST, AND FINES FOR NON-COMPLIANCE

DEBT DESCRIPTION, e g , DRIVER LICENSE SALARY OVERPAYMENT, PROPERTY DAMAGE

ADDITIONAL INFORMATION e g , DATE OF BIRTH, DRIVER LICENSE NUMBER, ETC

DBF AA 90 NEW 1 89

State of Florida

Public Service Commission

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

DATE: May 24, 2001
TO: Steve Tribble, Director of Administration
FROM: Beth Keating, Division of Legal Services
RE: Docket No. 001317-TI - Initiation of show cause proceedings against RJM Card Services, Inc. for apparent violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries; 25-24.920, F.A.C., Standards for Prepaid Calling Services and Consumer Disclosure; 25-24.915, F.A.C., Tariffs and Price Lists; 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated.

On January 11, 2001, the Commission issued an Order to Show Cause, Order No. PSC-01-0092-SC-TI, that RJM had refused to respond to staff's inquiries; thus, RJM was required to show cause in writing within 21 days of the issuance of the Order why it should not be fined $10,000 or have certificate number 6096 canceled for apparent violation of Rule 25-4.043, Florida Administrative Code. RJM failed to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period. Therefore, in accordance with the Commission's Order, the fine was deemed assessed. Thereafter, RJM also failed to pay the fine within ten business days after the 21-day response period, as required by the Order. As such, the facts were deemed admitted, the right to a hearing was deemed waived and certificate number 6096 was canceled.

In that same decision, the Commission found that RJM was providing PPCS in Florida without meeting Florida's service standards or consumer disclosure requirements, to the detriment of the consumers, in apparent willful violation of a lawful rule. Therefore, RJM was required to show cause in writing within 21 days of the issuance of the Order why it should not be fined $2,000 per violation, for a total of $6,000, for apparent violations of Rule 25-24.920, Florida Administrative Code. The company failed to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period; thus, the facts were deemed admitted, the right to a hearing was deemed waived, and the fine was deemed assessed. RJM also failed to pay this fine within the ten business days after the 21-day response period required by the Commission's decision. Therefore, in accordance with Order No. PC-01-0092-SC-TI, the fine should be forwarded to the Comptroller's Office for collection.

The Commission also found that RJM's failure to update its tariff constituted an apparent willful violation of a lawful rule. Thus, RJM was required to show cause in writing within 21 days of the issuance of the Order why it should not be fined $5,000 for apparent violation of Rule 25-24.915, Florida Administrative Code. The company failed to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes; thus, the facts were deemed admitted, the right to a hearing was deemed waived, and the fine was deemed assessed. RJM did not pay the fine within ten business days after the 21-day response period, as required by the Order. Therefore, this fine should also be forwarded to the Office of the Comptroller for collection.

Furthermore, RJM was required to show cause in writing within 21 days of the issuance of

the Order why it should not be fined $500 for apparent violation of Rule 25-4.0161, Florida Administrative Code. Again, RJM failed to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes.; thus, the facts were deemed admitted, the right to a hearing was deemed waived, and the fine and the 1999 Regulatory Assessment Fee, including statutory penalty and interest charges, were deemed assessed. The company did not pay the fine and 1999 RAF, including statutory penalty and interest charges, within ten business days after the 21-day response period, as required by the Order. Therefore, in accordance with the Commission's decision, it should also be forwarded to the Office of the Comptroller for collection.

Finally, as of November 22, 2000, RJM had not updated its mailing and liaison information in accordance with Rules 25-24.480(2)(a) and (b), Florida Administrative Code. The Commission found this to be an apparent failure by RJM to update its mailing and liaison information in apparent willful violation. As such, RJM was required to show cause in writing within 21 days of the issuance of the Order why it should not be fined $500 for apparent violation of Rule 25-24.480, Florida Administrative Code. RJM failed to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period,; thus, the facts were deemed admitted, the right to a hearing was deemed waived, and the fine was deemed assessed. The fine was not paid within ten business days after the 21-day response period, as required by the Commission. Therefore, in accordance with the Order, it should be forwarded to the Office of the Comptroller for collection. If the fine is paid, it should be remitted to this Commission for forwarding to the State of Florida

We sent the Order by certified mail to RJM and did not receive a response. We have not heard anything from the company since that time, but have had complaints that they are still operating. Hence, we submit this matter to your office for approval to forward the account to the Department of Banking and Finance, Comptroller's Office, for further collection efforts.

Please find the following attached hereto:

(a) Order No. PSC-01-0092-SC-TI
(b) State of Florida Office of the Comptroller Bureau of Auditing Delinquent Accounts Receivable Transmittal

RJM's mailing address is:

Mr. Jason Sherman
RJM Card Services, Inc.
444 Brickell Avenue, Suite 210
Miami, FL 33131-2404

BK/anc

cc: Division of Records and Reporting
Division of Competitive Services (Buys)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against RJM Card Services, Inc. for apparent violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries; 25-24.920, F.A.C., Standards for Prepaid Calling Services and Consumer Disclosure; 25-24.915, F.A.C., Tariffs and Price Lists; 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies; and 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated.	DOCKET NO. 001317-TI ORDER NO. PSC-01-0092-SC-TI ISSUED: January 11, 2001

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, CHAIRMAN
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

ORDER TO SHOW CAUSE

BY THE COMMISSION:

On May 26, 1999, RJM Card Services, Inc. (RJM) was granted Certificate number 6096 to provide interexchange telecommunications services within the State of Florida. We are vested with jurisdiction over these matters pursuant to Sections 364.18, 364.183, 364.19, 364.27, and 364.336, Florida Statutes.

I. Response to Commission Staff Inquiries

Rule 25-4.043, Florida Administrative Code, states:

> The necessary replies to inquiries propounded by the Commission's staff concerning service or other complaints received by the Commission shall be furnished in writing within fifteen (15) days from the date of the Commission inquiry.

On September 11, 2000, our staff mailed a letter to RJM informing it that the printed statements on a prepaid calling card labeled "Talk Talk" are not in compliance with our rules and the fact that a timing and accuracy test conducted by our staff showed that the prepaid calling service (PPCS) provided by RJM is apparently in violation of our rules. A written response was due to staff by September 26, 2000. On September 13, 2000, RJM personnel signed for and received the certified letter. On September 14, 2000, our staff received a telephone call from Jason Sherman, President of RJM. During the conversation, Mr. Sherman stated he would respond to the inquiry and address the issues outlined in the letter, including updating the company's tariff. However, Mr. Sherman failed to respond as he had indicated he would to our staff's inquiry.

On September 27, 2000, staff called RJM to inquire about Mr. Sherman's response. Staff was informed that Mr. Sherman has left RJM and that Ricardo Olloqui is now in charge of RJM. A copy of the certified letter sent to RJM on September 11, 2000, was faxed to Mr. Olloqui for review. On September 28, 2000, staff received a call from Mr. De La Peña. He informed staff that he was now representing Mr. Olloqui and would be responding to the inquiry. He also requested an extension of the required response date to October 16, 2000, so he could review the letter and respond to the inquiry. On October 16, 2000, Mr. De La Peña informed staff that he was in the process of winding down the business operations of RJM. At that time, Mr. De La Peña was asked to submit a written response to the alleged rules violations and explain RJM's position.

On November 16, 2000, staff called RJM to inquire about the response to staff's original inquiry. Mr. De La Peña informed staff that he has been fired by Mr. Sherman and can no longer represent RJM. He said he does not have the authority to answer any questions regarding RJM.

Based on the foregoing, we find that RJM has had ample time to respond to the inquiries, and that the corporate officers of RJM have given contradictory information during the aforementioned telephone conversations in an attempt to avoid responding to staff's inquiries. Therefore, we believe the apparent violation of Commission Rule 25-4.043, Florida Administrative Code, appears to be "willful" in the sense intended by Section 364.285, Florida Statutes. In Order No. 24306, issued April 1, 1991, in Docket No. 890216-TL titled In re: Investigation Into The Proper Application of Rule 25-14.003, F.A.C., Relating To Tax Savings Refund for 1988 and 1989 for GTE Florida, Inc., having found that the company had not intended to violate the rule, we nevertheless found it appropriate to order it to show cause why it should not be fined, stating that "In our view, willful implies intent to do an act, and this is distinct from intent to violate a rule." Thus, any intentional act, such as RJM's conduct at issue here, would meet the standard for a "willful violation."

Pursuant to Section 364.285, Florida Statutes, we are authorized to impose upon any entity subject to our jurisdiction a penalty of not more than $25,000 for each offense, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 364. Utilities are charged with knowledge of the Commission's rules and statutes. Additionally, "[i]t is a common maxim, familiar to all minds, that 'ignorance of the law' will not excuse any person, either civilly or criminally." Barlow v. United States, 32 U.S. 404, 411 (1833).

Since it appears that RJM refuses to respond to our staff's inquiries, RJM shall show cause in writing within 21 days of the issuance of this Order why it should not be fined $10,000 or have certificate number 6096 canceled for apparent violation of Rule 25-4.043, Florida Administrative Code. The company's response should contain specific allegations of fact and law. If RJM fails to respond to the show cause order or request a hearing pursuant to

Section 120.57, Florida Statutes, within the 21-day response period and the fine is not paid within ten business days after the 21-day response period, the facts are deemed admitted, the right to a hearing is deemed waived and certificate number 6096 shall be canceled. If the fine is paid, it should be remitted to this Commission for forwarding to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

II. Standards for Prepaid Calling Services and Consumer Disclosure

Our staff acquired a prepaid calling card in Florida labeled "TALK TALK" to evaluate the PPCS based on the information provided on the card and listed in RJM's tariff. RJM Card Services is listed as the telecommunications service provider. Upon visual inspection, it appears that RJM is in apparent violation of certain sections of Rule 25-24.920, Florida Administrative Code, as discussed below.

A. Rule 25-24.920(2), Florida Administrative Code, states:

> Each company shall provide the following information legibly printed either on the card, packaging, or display visible in a prominent area at the point of sale of the PPCS in such a manner that the consumer may make an informed decision prior to purchase:
>
> (a) Maximum charge per minute for PPCS;
> (b) Applicable surcharges; and
> (c) Expiration policy, if applicable.

(Emphasis supplied.)

RJM's prepaid card does not list applicable surcharges as required by the rule. The statement on the card: "A connection fee applies to all calls," does not provide the consumer with the amount of the connection fee. We find that this statement does not provide the consumer with sufficient information to make an informed decision prior to purchase in apparent violation of Rule 25-24.920(2)(b), Florida Administrative Code.

B. Rule 25-24.920(5), Florida Administrative Code, states:

> The rates displayed in accord with paragraph (2) above shall be no more than those reflected in the tariff or price list for PPCS.

The printing on RJM's prepaid card states, "Monthly service fee not to exceed 99¢ applies after first use." This fee is not listed in RJM's tariff. The 99¢ monthly service fee is an applicable surcharge that would increase the rate to an amount more than those reflected in RJM's tariff. Therefore, we find that the 99¢ monthly service fee appears to violate Rule 25-24.920(5), Florida Administrative Code, and should not be charged or printed on the card.

C. Rule 25-24.920(6), Florida Administrative Code, states in part:

> A company shall not reduce the value of a card by more than the charges printed on the card, packaging, or visible display at the point of sale. . . .

The printing on RJM's prepaid card states, "Prices are subject to change without notice." We believe that this statement implies that the rates RJM ultimately charges may not be the rates printed on the card. Pursuant to our rules, a PPCS provider can charge no more than the rates and prices listed on the card at the time of purchase. While a PPCS provider is allowed to recharge the prepaid phone card at a higher rate, subject to tariff limitations, it may not charge higher rates prior to the initial expiration (whether by charges or time limit) of the card.

On June 13, 2000, our staff conducted test calls using the "TALK TALK" card to determine if the calls made were charged according to the rates printed on the card and listed in the tariff. The test revealed that the value of the card was in fact reduced by more than what the printing on the card and the tariff indicated.

The test involved making a total of twelve interLATA calls. The twelve calls were divided into five groups having different durations of 58, 59, 60, 61, and 62 seconds. Each call was timed, and the remaining balance of time in the account was recorded. Calls were made until the account balance was exhausted.

On the first call, the initial account balance was 10 hours, 15 minutes. This is inconsistent with the expected balance based on the purchase price of the card ($10) and the rate (3¢ per minute). Ten dollars should buy 333.33 minutes, or 5 hours and 33 minutes ($10.00 ÷ $0.03/min. = 333.33 min.). The results of the test are summarized in the table below:

Call #	Call Duration	Account Balance	Minutes Deducted Per Call
1	58 seconds	10 hrs., 15 min.	53
2	58 seconds	9 hrs., 22 min.	53
3	58 seconds	8 hrs., 29 min.	52
4	58 seconds	7 hrs., 37 min.	53
5	59 seconds	6 hrs., 44 min.	53
6	59 seconds	5 hrs., 51 min.	53
7	59 seconds	4 hrs., 59 min.	52
8	60 seconds	4 hrs., 6 min.	53
9	60 seconds	3 hrs., 13 min.	53
10	61 seconds	2 hrs , 19 min.	54
11	61 seconds	1 hr., 27 min.	52
12	62 seconds	33 minutes	54
13		0 minutes	

According to RJM's tariff, time is billed in one-minute increments, and a 49¢ connection charge is applied to each call. The 49¢ connection charge equates to 16.33 minutes (49¢ ÷ 3¢/minute). Therefore, the correct number of minutes that should be deducted for a one minute call is 18 (17 minutes for the connection charge plus 1 minute for the actual duration of the call), not 53 minutes. Based on the results of the test, it is apparent that the prices have likely changed without notice, or other surcharges have been applied that are not listed on the card or in RJM's tariff.

Furthermore, the test revealed that RJM did not provide the customer with the full value of PPCS as indicated by the price description on the card. For example, staff made twelve calls with the card and determined that the total value of the $10 card equated to only $6.39 ($5.88 + $0.21 + $0.30 = $6.39):

- 12 calls @ 49¢ connection charge = $5.88
- 7 calls @ 1 minute (3¢ per minute) = 21¢
- 5 calls @ 2 minutes (3¢ per minute) = 30¢

Thus, RJM is reducing the value of the card by more than the charges printed on the card, an apparent violation of Rule 25-24.920(6), Florida Administrative Code.

Based on the foregoing, it appears that RJM is providing PPCS in Florida without meeting Florida's service standards or consumer disclosure requirements, to the detriment of the consumers. We believe that RJM's provision of PPCS without regard to service standards and consumer disclosure requirements appears to constitute a willful violation of a lawful rule consistent with our analysis set forth in Section I above.

Therefore, RJM shall show cause in writing within 21 days of the issuance of this Order why it should not be fined $2,000 per violation, for a total of $6,000, for apparent violations of Rule 25-24.920, Florida Administrative Code. The company's response should contain specific allegations of fact and law. If RJM fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period, the facts are deemed admitted, the right to a hearing is deemed waived, and the fine is deemed assessed. If the fine is not paid within ten business days after the 21-day response period, it should be forwarded to this Commission for forwarding to the Office of the Comptroller for collection. If the fine is paid, it should be remitted to this Commission for forwarding to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

III. Tariffs and Price Lists

Rule 25-24.915, Florida Administrative Code, states, in pertinent part, that each company shall include in its tariff or price list the maximum amount a caller will be charged per minute for PPCS, and applicable surcharges. In RJM's tariff, original sheet 16, section 4.5, Prepaid Calling Card Services, the only rates listed are a per minute rate of $.10, and a connection charge $.49. The 99¢ monthly service charge printed on the "Talk Talk" prepaid calling card is not listed in RJM's tariff. RJM has not included this applicable surcharge in its tariff, an apparent violation of Rule 25-24.915, Florida Administrative Code.

Moreover, during our staff's telephone conversation with Mr. Sherman on September 14, 2000, Mr. Sherman stated that the reason the timing test indicated that the "Talk Talk" card had a lower value than would be expected, was there were other charges associated with the prepaid calling card that were not listed in RJM's tariff. Mr. Sherman was aware that RJM's tariff needed to be updated and requested information on how to revise the tariff. Staff subsequently attempted to call Mr. Sherman to provide him with the requested information, but was unable to contact him again.

Based on the foregoing, we believe that RJM's failure to update its tariff constitutes an apparent willful violation of a lawful rule consistent with our analysis set forth in Section I above. Thus, RJM shall show cause in writing within 21 days of the issuance of this Order why it should not be fined $5,000 for apparent violation of Rule 25-24.915, Florida Administrative Code. The company's response should contain specific allegations of fact and law. If RJM fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period, the facts are deemed admitted, the right to a hearing is deemed waived, and the fine is deemed assessed. If the fine is not paid within ten business days after the 21-day response period, it should be forwarded to the Office of the Comptroller for collection. If the fine is paid, it should be remitted to this Commission for forwarding to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

IV. Regulatory Assessment Fees (RAFs)

Rule 25-4.0161, Florida Administrative Code, requires the payment of the RAF by January 30 of the subsequent year for telecommunications companies, and Section 350.113, Florida Statutes, provides for penalties and interest for any delinquent amounts.

Our Division of Administration's records show that RJM has not paid its 1999 RAF, plus statutory penalty and interest charges. Therefore, it appears the company has failed to comply with Rule 25-4.0161, Florida Administrative Code, and has not requested cancellation of its certificate in compliance with Rule 25-24.474, Florida Administrative Code.

Accordingly, RJM shall show cause in writing within 21 days of the issuance of this Order why it should not be fined $500 for apparent violation of Rule 25-4.0161, Florida Administrative Code. The company's response should contain specific allegations of fact and law. If RJM fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period, the facts are deemed admitted, the right to a hearing is deemed waived, and the fine and the 1999 Regulatory Assessment Fee, including statutory penalty and interest charges, are deemed assessed. If the fine and the 1999 RAF, including statutory penalty and interest charges, are not paid within ten business days after the 21-day response period, it should be forwarded to the Office of the Comptroller for collection. If the fine is paid, it should be remitted to this Commission for forwarding to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

V. Companies Required to Update Information

Pursuant to Rules 25-24.480(2)(a) and (b), Florida Administrative Code, each company is allowed ten days after a change occurs to file updated information with the Division of Telecommunications and the Division of Records and Reports indicating any changes in the certificate holder's address (including street name and address, post office box, city), telephone number and any change in the name and address of the individual who is serving as primary liaison with this Commission.

On May 26, 2000, our staff mailed a notice to RJM regarding the delinquent RAF. The letter was returned due to the expiration of the mail forwarding order. On September 25, 26, and 27, 2000, staff attempted to contact RJM using the telephone number listed in the Master Commission Directory. On all three attempts, the call resulted in a busy signal. Apparently, RJM's mailing and liaison information on file with us has not been updated. Subsequently, the title of Docket No. 001317-TI was amended to include a violation of Rule 25-24.480(2)(a) and (b), Florida Administrative Code.

Meanwhile, other Commission staff were concurrently investigating RJM for apparent PPCS rule violations and contacted RJM via telephone on September 27, 2000, using the customer service

number listed on the back of the "TALK TALK" card. During that call, staff was informed of a change in RJM's address, phone number, and liaison information. A mailing and liaison information sheet and instructions to send an updated copy to the Division of Records and Reporting was faxed to RJM. As of November 22, 2000, RJM has not updated its mailing and liaison information in accordance with Rules 25-24.480(2)(a) and (b), Florida Administrative Code. It has been more than ten days and this information still has not been updated. We believe that the failure of RJM to update its mailing and liaison information constitutes an apparent willful violation of a lawful rule consistent with our analysis set forth in section I above.

Based on the foregoing, RJM shall show cause in writing within 21 days of the issuance of this Order why it should not be fined $500 for apparent violation of Rule 25-24.480, Florida Administrative Code. The company's response should contain specific allegations of fact and law. If RJM fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period, the facts are deemed admitted, the right to a hearing is deemed waived, and the fine is deemed assessed. If the fine is not paid within ten business days after the 21-day response period, it should be forwarded to the Office of the Comptroller for collection. If the fine is paid, it should be remitted to this Commission for forwarding to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that RJM Card Services, Inc. shall show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined $10,000 or have certificate number 6096 canceled for apparent violation of Rule 25-4.043, Florida Administrative Code. It is further

ORDERED that RJM Card Services, Inc. Shall have 21 days from the issuance of this show cause order to respond in writing why it should not be fined in the amount proposed or have its certificate canceled for apparent violation of Rule 25-4.043, Florida Administrative Code. If RJM timely responds to the show cause

order, this docket should remain open pending resolution of the show cause proceeding. If RJM fails to respond to the show cause order or pay the fine within ten business days after the expiration of the 21-day response period, certificate number 6096 should be canceled. It is further

ORDERED that RJM Card Services, Inc. shall show cause in writing within 21 days of the issuance of this Order why it should not be fined $2,000 per violation, for a total of $6,000, for apparent violations of Rule 25-24.920, Florida Administrative Code. It is further

ORDERED that RJM Card Services, Inc. shall show cause in writing within 21 days of the issuance of this Order why it should not be fined $5,000 for apparent violation of Rule 25-24.915, Florida Administrative Code. It is further

ORDERED that RJM Card Services, Inc. shall show cause in writing within 21 days of the issuance of this Order why it should not be fined $500 for apparent violation of Rule 25-4.0161, Florida Administrative Code. It is further

ORDERED that RJM Card Services, Inc. shall show cause in writing within 21 days of the issuance of this Order why it should not be fined $500 for apparent violation of Rule 25-24.480, Florida Administrative Code. It is further

ORDERED that RJM Card Services, Inc. shall have 21 days from the issuance of this show cause order to respond in writing for apparent violations of Rules 25-4.0161, 25-24.480, 25-24.915, and 25-24.920, Florida Administrative Code, why it should not be fined in the amounts proposed. If RJM Card Services, Inc. timely responds to the show cause order, this docket shall remain open pending resolution of the show cause proceeding. If the company fails to respond to the show cause order, and the fines and fees, including statutory penalties and interest, are not received within ten business days after the expiration of the 21-day show cause response period, then the fines are deemed assessed for the violations cited and forwarded to the Comptroller's Office for collection. This docket may be closed administratively upon resolution of all the show cause matters.

By ORDER of the Florida Public Service Commission this 11th day of January, 2001.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: /s/ Kay Flynn
Kay Flynn, Chief
Bureau of Records

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-850-413-6770.

(S E A L)

DWC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

This order is preliminary, procedural or intermediate in nature. Any person whose substantial interests are affected by this show cause order may file a response within 21 days of issuance of the show cause order as set forth herein. This response must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on February 1, 2001.

Failure to respond within the time set forth above shall constitute an admission of all facts and a waiver of the right to a hearing and a default pursuant to Rule 28-106.111(4), Florida Administrative Code. Such default shall be effective on the day subsequent to the above date.

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 wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure.