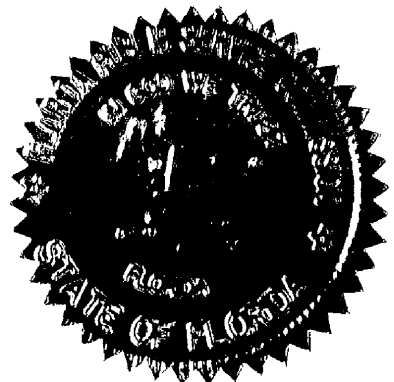


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 021206-TC

In the Matter of

COMPLIANCE INVESTIGATION OF FLORIDA
COMMERCIAL PAYFON, INC. FOR
APPARENT VIOLATION OF RULE 25-4.019,
F.A.C., RECORDS AND REPORTS IN
GENERAL.



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PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER RUDOLPH "RUDY BRADLEY
Prehearing Officer

DATE: Monday, September 8, 2003

TIME: Commenced at 9:30 a.m.
Concluded at 9:39 a.m.

PLACE: Betty Easley Conference Center
Room 152
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR
OFFICIAL FPSC REPORTER
(850) 413-6732

DOCUMENT NUMBER-DATE

FLORIDA PUBLIC SERVICE COMMISSION

08602 SEP 11 8

FPSC-COMMISSION CLERK

1 APPEARANCES:

2 ADAM TEITZMAN, ESQUIRE, FPSC General Counsel's
3 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida
4 32399-0850, appearing on behalf of the Commission Staff.

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P R O C E E D I N G S

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2 COMMISSIONER BRADLEY: My name is Commissioner
3 Rudolph Bradley, and I'm here for the prehearing, Docket Number
4 021206-TC in reference to Commercial PayFon, Inc. I would now
5 like to call this prehearing conference to order. Could I have
6 the notice read, please.

7 MR. TEITZMAN: Pursuant to notice issued August 28th,
8 2003, this time and place has been set for a prehearing
9 conference in Docket Number 021206-TC, compliance investigation
10 of Florida Commercial PayFon, Inc., for apparent violation of
11 Rule 25-4.019, Florida Administrative Code, records and reports
12 in general.

13 COMMISSIONER BRADLEY: Thank you. Let's take
14 appearances, please.

15 MR. TEITZMAN: Adam Teitzman on behalf of the Florida
16 Public Service Commission.

17 COMMISSIONER BRADLEY: Okay. On behalf of Commercial
18 PayFon? Is anyone present?

19 MR. TEITZMAN: Commissioner, no one is present this
20 morning from Florida Commercial PayFon, Inc.

21 COMMISSIONER BRADLEY: Okay. Then, just for the
22 record, I need to ask a couple of questions. Number one, are
23 there any representatives, and you have said no, but just for
24 the record I'm going to read these questions. Are there any
25 representatives of Commercial PayFon, Inc., present? The

1 answer is no.

2 Staff, have you had any contact with Commercial
3 PayFon about their participation at this prehearing?

4 MR. TEITZMAN: Staff has made several attempts to
5 contact a representative of Florida Commercial PayFon, Inc.,
6 including sending the prehearing and hearing notice by
7 certified mail. On Friday, staff received the receipt on the
8 certified mail signed by Mr. Hozae Milton of Florida Commercial
9 PayFon, Inc., so they were on notice of today's prehearing.

10 COMMISSIONER BRADLEY: So they are aware of this
11 hearing this morning?

12 MR. TEITZMAN: That is correct.

13 COMMISSIONER BRADLEY: Okay. Thank you. I would
14 like to, again, note for the record that no representative of
15 Commercial PayFon, Inc., is present as required by the order
16 establishing procedure. At this time, are there any
17 preliminary matters by any of the parties?

18 MR. TEITZMAN: Staff has no preliminary matters to
19 address, Commissioner.

20 COMMISSIONER BRADLEY: Also, I don't see a prehearing
21 statement filed by Commercial PayFon. Has Commercial PayFon
22 filed a prehearing statement as required by the order
23 establishing procedure?

24 MR. TEITZMAN: No, they did not, Commissioner.

25 COMMISSIONER BRADLEY: It is my intent to proceed

1 through the draft prehearing order section-by-section in a
2 fairly quick manner. If there are any questions, or
3 clarifications, or changes, or whatever, please let me know.

4 MR. TEITZMAN: Yes, Commissioner.

5 COMMISSIONER BRADLEY: And with that, we will begin
6 going through the draft prehearing order. We begin with
7 Section I, the conduct of proceedings.

8 MR. TEITZMAN: Commissioner, before we get to Section
9 I, I would just like to note, under appearances, because I was
10 not sure whether or not a representative from Florida
11 Commercial PayFon, Inc., would be attending, I did leave a
12 space available. When the order comes out, I will be excluding
13 that space for Florida Commercial PayFon, Inc., since there is
14 no representative here.

15 COMMISSIONER BRADLEY: Fine.

16 Section I.

17 MR. TEITZMAN: There's no corrections to that
18 section.

19 COMMISSIONER BRADLEY: Section II, case background.

20 MR. TEITZMAN: No corrections.

21 COMMISSIONER BRADLEY: Section III, confidential
22 information.

23 MR. TEITZMAN: No corrections.

24 COMMISSIONER BRADLEY: Section IV, the post-hearing
25 procedures.

1 MR. TEITZMAN: No correction.

2 COMMISSIONER BRADLEY: Section V, prefiled testimony
3 and exhibits.

4 MR. TEITZMAN: No corrections.

5 COMMISSIONER BRADLEY: Section VI, order of
6 witnesses.

7 MR. TEITZMAN: No corrections.

8 COMMISSIONER BRADLEY: Section VII, basic positions.

9 MR. TEITZMAN: No corrections.

10 COMMISSIONER BRADLEY: Section VIII, issues and
11 positions.

12 MR. TEITZMAN: No corrections.

13 COMMISSIONER BRADLEY: Section IX, exhibit list.

14 MR. TEITZMAN: No corrections.

15 COMMISSIONER BRADLEY: Section X, proposed
16 stipulations.

17 MR. TEITZMAN: No corrections.

18 COMMISSIONER BRADLEY: Section XI, pending motions.

19 MR. TEITZMAN: No corrections.

20 COMMISSIONER BRADLEY: Section XII, confidentiality
21 matters.

22 MR. TEITZMAN: No correction.

23 COMMISSIONER BRADLEY: Section XIII, decisions which
24 may affect PSC resolution.

25 MR. TEITZMAN: No corrections.

1 COMMISSIONER BRADLEY: Section XIV, rulings.

2 MR. TEITZMAN: Commissioner, at this time, because it
3 will be incorporated into the rulings section, staff would
4 request permission to bring a recommendation to the next
5 possible agenda which would address dismissal of the protest by
6 Florida Commercial PayFon, Inc., and reinstatement of the PAA
7 order. And at this point, additionally, staff would also
8 request continuance of the hearing.

9 COMMISSIONER BRADLEY: Fine. Is there anything else
10 to come before the prehearing officer at this time?

11 MR. TEITZMAN: No, there is not.

12 COMMISSIONER BRADLEY: Again, let me ask -- let me
13 make this statement. If there is no representative from
14 Commercial PayFon -- I'm sorry, if no representative from
15 Commercial PayFon appears, Staff, as you said, you will ask to
16 continue and not cancel the hearing. I will grant that for
17 September 24th, and at that time you will make your
18 recommendation.

19 MR. TEITZMAN: Commissioner, staff would like to
20 bring it to the next available agenda, the recommendation.

21 COMMISSIONER BRADLEY: And what date will that be?

22 MR. TEITZMAN: I don't have a date right now, but --
23 September 30th, Commissioner.

24 COMMISSIONER BRADLEY: September 30th? Okay, so
25 granted.

1 Are there any other matters that we need to give
2 consideration to today, this morning?

3 MR. TEITZMAN: I believe that would be all,
4 Commissioner.

5 COMMISSIONER BRADLEY: Let me thank you all for your
6 participation at this prehearing conference, and the conference
7 is adjourned.

8 MR. TEITZMAN: Thank you, Commissioner.

9 COMMISSIONER BRADLEY: Thank you.

10 (The prehearing concluded at 9:39 a.m.)

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1 STATE OF FLORIDA)
2 :
3 COUNTY OF LEON)


CERTIFICATE OF REPORTER

4
5 I, JANE FAUROT, RPR, Chief, Office of Hearing Reporter
6 Services, FPSC Division of Commission Clerk and Administrative
7 Services, do hereby certify that the foregoing proceeding was
8 heard at the time and place herein stated.

9 IT IS FURTHER CERTIFIED that I stenographically
10 reported the said proceedings; that the same has been
11 transcribed under my direct supervision; and that this
12 transcript constitutes a true transcription of my notes of said
13 proceedings.

14 I FURTHER CERTIFY that I am not a relative, employee,
15 attorney or counsel of any of the parties, nor am I a relative
16 or employee of any of the parties' attorney or counsel
17 connected with the action, nor am I financially interested in
18 the action.

19 DATED THIS 11th day of September, 2003.

20
21 

22 _____
23 JANE FAUROT, RPR
24 Chief, Office of Hearing Reporter Services
25 FPSC Division of Commission Clerk and
Administrative Services
(850) 413-6732