

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of Show Cause Pro-)	DOCKET NO. 891285-TC
ceedings against TELSO, INC. for)	ORDER NO. 22902
violation of Rule 25-24.515, F.A.C.,)	ISSUED: 5-7-90
Pay Telephone Service Standards.)	
)	

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER

ORDER RESOLVING SHOW CAUSE

BY THE COMMISSION:

By Order No. 14410, Telso, Inc. (Telso) was certificated as a pay telephone service (PATS) provider. The company reported 1229 PATS locations on its 1988 Annual Report.

Our Staff, in the course of its duties, performs service evaluations of pay telephones to monitor compliance with our Rules governing the provision of PATS. In the course of its evaluations of Telso's PATS instruments, Staff recorded certain apparent violations.

Subsequently, Telso submitted an offer of settlement in this matter. The terms of the settlement are:

- 1) Without admitting to any of the facts alleged or to violation of Commission regulations or Florida law, Telso will pay a sum of \$5,000.00 (Five Thousand Dollars) to the Florida Public Service Commission in consideration for and settlement of any and all alleged violations of Commission statutes, rules or policies committed by Telso prior to the date of the Commission order closing docket.
- 2) Docket No. 891285-TL will be closed upon approval of this settlement by the Commission.

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FPSC-RECORDS/REPORTING

ORDER NO. 22902
DOCKET NO. 891285-TC
PAGE 2

- 3) Telso believes that adequate accessibility for handicapped persons is currently offered for payphones located at 202 W. Hillsborough Blvd. in Deerfield Beach. Telso is awaiting an on-site meeting with Staff and Telso representatives to determine if specific corrective action is needed. Should Telso be incorrect in its assessment, the company will move immediately to take whatever corrective action is necessary to fully comply with the Commission's handicapped requirements.
- 4) Telso has previously completed all hardware and software modifications necessary to fully comply with the requirements for delivery of all 0- calls to the local exchange company ("LEC"). Specific corrective action at some 70 percent of Telso's payphones included two major changes -- a physical hardware modification and a customized software program to allow selective routing of the 0-/0+ traffic -- at a cost of approximately \$100,000. The remaining 30 percent were previously programmed to deliver all 0- calls to the LEC. Thus, all of Telso's payphones currently are in compliance with this requirement.
- 5) Telso has previously completed hardware and software modifications as noted in paragraph 4 above to allow access to all interexchange companies while protecting against fraudulent chain dialing and fraudulent access to other IXC's switching networks. Equipment and software modifications were also required to allow access according to the various methods each IXC had adopted for its access standard, and to incorporate the flexibility to allow future IXCs the same form of access. Telso's payphones are currently in compliance with Rule 25-24.515(6).

ORDER NO. 22902
DOCKET NO. 891285-TC
PAGE 3

- 6) Telso has responded to all alleged violations by either instituting timely corrective measures or has confirmed that no violation was found. As previously stated, Telso has been extensively modifying its equipment to comply with all Commission regulations on a continuing basis, and has provided documentation to Staff substantiating the required equipment overhauls and associated expenses. While Telso maintains that it should not be fined in any amount, Telso agrees to pay the sum of \$5,000.00 under the specific terms and conditions listed in paragraphs 1 and 2 above.
- 7) Telso believes that placement of a moratorium of any length upon the company is inappropriate under the circumstances as outlined herein. Telso has in good faith expended great efforts and expense to fully comply with Commission regulations, and should not be penalized for this course of action.
- 8) Telso well recognizes the seriousness of complying with all Commission rules and is very conscientious concerning proper correction of any violations that are found. As such, Telso maintains that the current facts and circumstances do not indicate that the company should receive a notice that future violations of Commission policies shall be cause for additional fines and loss of certificate.

We believe the offer is reasonable under the facts and circumstances of this case. Therefore, we find it appropriate to accept this offer. Accordingly, Telso shall submit its \$5,000 payment within 30 days of issuance of this Order.

Based on the foregoing, it is hereby

ORDERED, by the Florida Public Service Commission, that Telso, Inc.'s offer of settlement is accepted according to the

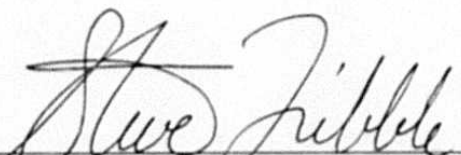
ORDER NO. 22902
DOCKET NO. 891285-TC
PAGE 4

terms thereof as set forth herein and subject to the terms of this Order. It is further

ORDERED that Telso, Inc. shall submit its payment of \$5,000 to this Commission within thirty (30) days of the issuance date of this Order. It is further

ORDERED that this docket be and the same is hereby closed.

By ORDER of the Florida Public Service Commission,
this 7th day of MAY, 1990.



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,

ORDER NO. 22902
DOCKET NO. 891285-TC
PAGE 5

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.