

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

|   |   |                      |
|---|---|----------------------|
| In re: Initiation of Show Cause         | ) | DOCKET NO. 891292-TC |
| Proceedings Against 2001 TELECOMMUNICA- | ) |                      |
| TIONS, INC. for Violation of Rule       | ) | ORDER NO. 23743      |
| 25-24.515, F.A.C., Pay Telephone        | ) |                      |
| Service Standards.                      | ) | ISSUED: 11-13-90     |
|   | ) |                      |

The following Commissioners participated in the disposition of this matter:

- MICHAEL McK. WILSON, Chairman
- THOMAS M. BEARD
- BETTY EASLEY
- FRANK S. MESSERSMITH

ORDER RESOLVING SHOW CAUSE PROCEEDINGS  
AND  
ACCEPTING SETTLEMENT OFFER

BY THE COMMISSION:

During 1989, service evaluations performed on pay telephones operated by 2001 Telecommunications, Inc. (2001 or Company), revealed that certain instruments were in violation of Commission Rules. Specifically, certain phones were not wheelchair accessible, and all interexchange companies were not available to the end user.

Rule 25-24.515, Florida Administrative Code, requires in pertinent part:

(13) Each telephone station installed after January 5, 1987 shall conform to subsections 4.29.2 - 4.29.4 and 4.29.7 - 4.29.8 of the American National Standards Specifications for Making Buildings and Facilities Accessible and Usable by Physically Handicapped People, approved February 5, 1986 by the American National Standards Institute, Inc. (ANSI A117.1 - 1986). Except for locations on floors above or below entry level in buildings not serviced by a ramp or elevator, such stations shall be placed in areas accessible to the physically handicapped.

(6) Each telephone station which provides access to any interexchange company must provide access to all locally available interexchange companies.

DOCUMENT NUMBER-DATE  
10112 NOV 13 1990  
FPSC-RECORDS/REPORTING

ORDER NO. 23743  
DOCKET NO. 891292-TC  
PAGE 2

In addition, it was determined that certain pay telephones did not reserve all 0-, 0+, and 1+ intraLATA traffic to the local exchange companies (LECs), as required by Order No. 20610, issued January 17, 1989, and Reconsideration Order No. 21614, issued July 27, 1989.

On June 5, 1990 we received an offer of settlement from the Company. The terms of the offer provide that the Company: (1) has complied with Rule 25-24.515(13) by making all pay telephones wheelchair accessible; (2) has programmed all of its payphones to meet Commission requirements that all 0+ and 0- traffic be reserved to the LECs; (3) has complied with Rule 25-24.515(6) by reprogramming all payphones to provide access to all locally available interexchange companies; (4) agrees to pay a sum of \$500 to this Commission in consideration for and settlement of any alleged violations arising out of the same facts and circumstances which resulted in opening this docket.

We believe that the Company's offer of settlement is both appropriate and adequate. The Company has completed the corrective action necessary to comply with our requirements. Accordingly, we accept 2001's proposed settlement.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we accept 2001 Telecommunications, Inc.'s offer of settlement as stated in the body of this Order. It is further

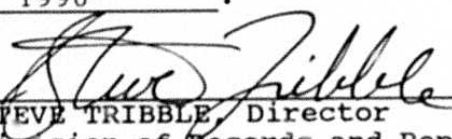
ORDERED that acceptance of this offer shall constitute a final disposition of the show cause proceeding. It is further

ORDERED that 2001 Telecommunications, Inc. shall remit the sum of \$500 to the Commission within 30 days of this Order. It is further

ORDERED that upon receipt of the settlement payment, this docket shall be closed.

ORDER NO. 23743  
DOCKET NO. 891292-TC  
PAGE 3

By ORDER of the Florida Public Service Commission, this 13th  
day of NOVEMBER, 1990.

  
STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

PAK

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, 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.