

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of Show Cause)	DOCKET NO. 891286-TC
Proceedings Against EMRO MARKETING)	
CO. for Violation of Rule 25-24.515,)	ORDER NO. 23745
F.A.C. Pay Telephone Service Standards.)	
<hr/>		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 CLOSING SHOW CAUSE DOCKET

BY THE COMMISSION:

On October 19, 1989, a routine service evaluation of an Emro Marketing Co. (Emro or Company), pay telephone station revealed that all phones were not wheelchair accessible.

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.

The Company initially misunderstood the requirement that all payphones at a location must be wheelchair accessible. However, subsequent to the opening of this docket the company performed the necessary corrective action.

We believe that by performing the necessary corrective action, the Company has shown proper regard for Commission Rules. Accordingly, we find that a show cause proceeding is no longer necessary.

Based on the foregoing it is

ORDER NO. 23745
DOCKET NO. 891286-TC
PAGE 2

ORDERED by the Florida Public Service Commission that this docket be closed.

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

ORDER NO. 23745
DOCKET NO. 891286-TC
PAGE 3

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.