

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause	)	DOCKET NO. 911010-TC
proceedings against PEOPLES TELEPHONE	)	
COMPANY for violation of Rule	)	ORDER NO. 25372
25-24.515(6) - Access to All Long	)	
Distance Carriers.	)	ISSUED: 11/21/91
	)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 SUSAN F. CLARK  
 J. TERRY DEASON  
 BETTY EASLEY  
 MICHAEL MCK. WILSON

FINAL ORDER

BY THE COMMISSION:

Peoples Telephone Company (Peoples) has been a certificated pay telephone service (PATS) provider since March 14, 1985. Peoples currently operates approximately 5400 pay telephones in Florida. As a certificated PATS provider, Peoples is subject to our jurisdiction.

On September 30, 1991, a complaint was filed against Peoples regarding the customer's inability to access AT&T from two Peoples' pay telephones located at the Kash & Karry - 1176 U.S. 27 Highway North in Haines City. Staff subsequently verified the reported violations on October 3, 1991. Service evaluations performed on several pay telephones operated by Peoples revealed that two additional pay telephones in Live Oak were blocking 102880 dialing. Peoples has been ordered to show cause in two previous proceedings in 1990 and earlier this year regarding its pay telephones in various locations within the state blocking access to the customer's carrier of choice.

In the instant case, it appears that there was no intent to violate the Rules regulating PATS and Peoples took reasonable and prompt action to correct the violations. Furthermore, the violations appear to be isolated instances that might reasonably be expected in a large operation. At the Agenda Conference, Peoples indicated that it had frequent maintenance programs designed to eliminate or limit the number of inadvertent violations. In this specific situation, we decline to impose a fine.

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that no further action should be taken in this matter, and this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 21st day of NOVEMBER, 1991.

  
STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

JKA

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

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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.