

FLORIDA PUBLIC SERVICE COMMISSION

Re In: Initiation of show cause) DOCKET NO. 911013-TC
proceeding against CENTRAL TELE-) ORDER NO. PSC-92-0354-AS-TC
COMMUNICATIONS CORP. for viola-) ISSUED: 05/13/92
tion of Rule 25-24.515(6),)
Rule 25-24.515(6), F.A.C.,)
Access to All Long Distance)
Carriers.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
J. TERRY DEASON

FINAL ORDER APPROVING SETTLEMENT OFFER

BY THE COMMISSION:

Central Telecommunications Corporation (Central) has been a certificated Pay Telephone Service (PATS) provider since March 13, 1986. Central currently operates approximately 12 PATS instruments in Florida. As a certificated PATS provider Central is subject to our jurisdiction.

On July 3, 1991 service evaluations were performed on pay telephones operated by Central and two instruments were discovered to be blocking access to some locally available interexchange carriers in violation of Rule 25-24.515(6), Florida Administrative Code. Notice to respond regarding corrective action within fifteen (15) days was sent to Central. Central responded and indicated that the telephones in violation had been corrected. However, on July 25, 1991, service evaluations were performed on the same pay telephones, as well as, a third telephone and the same service violations were again noted.

On November 21, 1992, we issued Order No. 25369 requiring Central to show cause why it should not be fined \$15,000 for violation of Rule 25-24.519(6) requiring access to all locally available interchange carriers. On December 11, 1992 Central filed a response to Order No. 25369 requesting a formal hearing. On March 23, 1992 Central filed an offer of settlement.

In essence, Central's offer consists of a payment in settlement. The Company continues to deny all wrong doing, but asserts that it intends to comply with all PATS requirements in the future.

Combined with the expressed intention to comply with PATS requirements, we believe Central's offer of settlement is an appropriate remedy. We note that penalties are designed to ensure

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compliance with rules and not as punitive measures. While Central, continues to deny any wrong doing, the company affirmatively asserts that it will comply with Rule 25-24.515(6). We believe that the \$1,000 fine proposed by Central is sufficient deterrence under the circumstances of this docket.

Based of the foregoing, it is further

ORDERED by the Florida Public Service Commission that the settlement offer proposed by Central Telecommunications Corporation is hereby approved. It is further

ORDERED that the settlement payment shall be tendered within 30 days of the date of this Order. It is further

ORDERED that this docket shall be closed within 14 days of receipt of the settlement.

By ORDER of the Florida Public Service Commission, this 13th day of May, 1992.



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, 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.