

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of show cause) DOCKET NO. 920657-TC
proceedings against SOUTHERN) ORDER NO. PSC-93-0776-AS-TC
STAR COMMUNICATIONS, INC. for) ISSUED: May 20, 1993
violation of Rule 25-24.515,)
F.A.C., Pay Telephone Service)
Standards, and Rule 25-4.043,)
F.A.C., Response to Commission)
Staff Inquiries.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD
LUIS J. LAUREDO

FINAL ORDER APPROVING SETTLEMENT PROPOSAL

BY THE COMMISSION:

Southern Star Communications, Inc. (Southern Star or the Company) has been a certificated pay telephone service (PATS) provider since May 22, 1991. As a certificated pay telephone service provider, Southern Star is subject to Commission jurisdiction pursuant to Chapter 364, Florida Statutes.

On September 2, 1992 the Commission issued Order No. PSC-92-0916-FOF-TC requiring Southern Star to show cause why it should not be fined or why its Certificate No. 2728 should not be cancelled for violation of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service Standards and 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries. Southern Star filed a response on September 22, 1992 and this docket was scheduled for hearing.

On March 17, 1993 Southern Star tendered a settlement proposal. The terms of the proposal are as follows:

1. The terms set forth herein represent the entire agreement.
2. Southern Star shall pay a \$1,000 penalty.
3. This penalty shall be paid in five monthly installments of \$200.

DOCUMENT NUMBER-DATE

05488 MAY 20 83

7700-RECORDS/REPORTING

4. These installments shall be received by the Commission on the 1st working day of each month beginning May 1, 1993.
5. Southern Star shall certify that all pay telephones it operates are in compliance with all Commission regulations. This certification shall be filed within one month of the date of the final order.
6. Failure to pay the penalty in a timely manner or a determination by the Commission that Southern Star has blocked access to locally available Interexchange carriers will result in cancellation of Certificate No. 2728 held by Southern Star.
7. This docket shall remain open six months from the date of the order for monitoring compliance or until the penalty is paid.
8. This settlement is subject to acceptance by the Commission.

This proposal is consistent with previous commission action in similar cases. Previous show causes of this nature have resulted in penalties ranging from \$500 to \$2,000. Furthermore, this settlement provides for a period to monitor the Company's activities. Accordingly, we find it appropriate to approve Southern Star's proposal.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Southern Star Communications, Inc.'s settlement proposal is accepted as outlined in the body of this Order. It is further

ORDERED that this docket shall remain open six months to permit monitoring of Southern Star Communications, Inc.'s compliance.

ORDER NO. PSC-93-0776-AS-TC
DOCKET NO. 920657-TC
PAGE 3

By ORDER of the Florida Public Service Commission this 20th
day of May, 1993.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

JKA

by: Kay Fejzo
Chief, Bureau of Records

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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.