

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Determination of proper) DOCKET NO. 950024-TC
method for refunding overcharges) ORDER NO. PSC-95-0248-FOF-TC
on intrastate long distance) ISSUED: February 22, 1995
calls placed from pay telephones)
operated by TRINITY HOLDINGS,)
LTD., INC.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING METHOD OF REFUND

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

By letter, dated November 10, 1994, our Division of Communications informed Trinity Holdings Ltd., Inc. (Trinity) that test calls made by our staff appeared to be billed in excess of the amount allowed by this Commission's rate cap as set forth in Order No. 24101. Trinity promptly responded that the overcharge was caused by its programmer entering an old rate table file and promptly corrected the problem. Trinity determined that, between July 27, 1994, and October 27, 1994, 148 billing numbers were responsible for 231 calls being billed in error and a total of \$239.62 was overcharged.

We do not condone Trinity's billing errors, however, the company promptly determined the cause of the overcharges and corrected the errors. Accordingly, we choose not to issue a show cause order or impose a fine against Trinity. Instead, we order Trinity to refund the overcharged amounts plus \$7.04 in interest, as calculated in accordance with Rule 25-4.114, Florida

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Administrative Code, to overcharged customers. Trinity will complete this refund by crediting each customer's monthly bill. These credits shall be issued during the billing cycle beginning between February 22, 1995, and March 22, 1995. Upon completion of the refund, Trinity shall provide a report to our Division of Communications verifying that the refund is complete.

It is, therefore,

ORDERED by the Florida Public Service Commission that Trinity Holdings Ltd., Inc. will refund \$239.62 plus \$7.04 in interest to customers it overcharged from July 27, 1994 to October 27, 1994. It is further

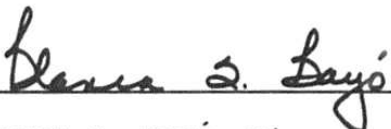
ORDERED that Trinity Holdings, Ltd., Inc. will complete the refunds by crediting each affected customer's monthly bill during the billing cycles between February 22, 1995 and March 22, 1995. It is further

ORDERED that Trinity Holdings, Ltd., Inc. will provide a report when the refund is complete verifying the refund. It is further

ORDERED that this docket will be closed upon verification that the refund is complete. It is further

ORDERED that, unless a person whose interests are substantially affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, this order will become final.

By ORDER of the Florida Public Service Commission, this 22nd day of February, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

LMB

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 15, 1995.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the effective date 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.