

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of show cause ) DOCKET NO. 960359-TC  
proceedings against Pro Telecom, ) ORDER NO. PSC-96-0572-AS-TC  
Inc. for violation of Rules 25- ) ISSUED: May 1, 1996  
24.515, F.A.C., Pay Telephone )  
Service, and 25-4.043, F.A.C., )  
Response to Commission Staff )  
Inquiries. )  
\_\_\_\_\_)

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

ORDER APPROVING OFFER OF SETTLEMENT

BY THE COMMISSION:

Pro Telecom, Inc. (Pro Telecom) is a provider of pay telephone service which was granted a certificate in 1987. Pro Telecom owns and operates approximately 426 pay telephones in Florida. For the regulatory assessment fee reporting period ended June 30, 1995, Pro Telecom recorded gross operating revenues of \$63,797.83. Pro Telecom has previously paid a \$100 fine for its failure to file an annual report and to respond to Commission staff inquiries.

Between 1994 and February, 1996, the staff of this Commission performed service evaluations on pay telephones owned and operated by Pro Telecom, and found numerous violations of service standards. Prior to staff's opening a docket to resolve these matters, Pro Telecom and its attorneys met with staff to discuss the violations and corrective measures. Although it disputed several violations, Pro Telecom subsequently submitted an offer of settlement. In its offer of settlement, Pro Telecom proposed to:

1. Bring all of its pay telephones into compliance with Rule 25-24.515(13), Florida Administrative Code, Wheelchair Accessibility, within 90 days of the date we approve its offer of settlement;
2. Bring all of its pay telephones into compliance with Rule 25-24.515(7), Florida Administrative

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Code, IntrLATA Routing, within 90 days of the date we approve its offer of settlement;

3. Temporarily delay installing new pay telephones, except those for which it already has contracts and work orders, until all existing pay telephones are in compliance;
4. Provide a written response to all staff inquiries within 15 days of the inquiry; and
5. Make a voluntary contribution of \$2,000 to the General Revenue Fund of the State of Florida.

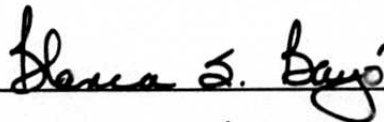
Upon consideration, we find it appropriate to accept Pro Telecom's offer of settlement. We intend to conduct follow-up inspections of Pro Telecom's pay telephones, and continued violations of our service standards may result in further action.

It is, therefore,

ORDERED by the Florida Public Service Commission that the settlement offer submitted by Pro Telecom, Inc. is approved, as set forth in the body of this Order. It is further

ORDERED that, upon staff's verification of Pro Telecom, Inc.'s remittance of its voluntary contribution of \$2,000, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 1st day of May, 1996.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

RJP

Commissioner J. Terry Deason dissented. Based upon the number and the severity of the violations, he believes that Pro Telecom, Inc.'s offer is insufficient.

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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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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 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.