

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 940984-TC
certificate to provide pay) ORDER NO. PSC-96-1065-FOF-TC
telephone service by GLOBAL) ISSUED: August 20, 1996
TEL*LINK CORPORATION.)
_____)

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 REFUND PROPOSAL AND CORRECTING TYPOGRAPHICAL ERROR

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.

On February 27, 1996, the Commission issued Order No. PSC-96-0299-FOF-TP (Order) that ordered Global Tel*Link Corporation (GTC) to refund \$14,198 to Florida customers overcharged between January 1, 1990 and May 31, 1994. GTC did not believe it would be able to locate all of the overcharged customers. In previous dockets when companies have not been able to locate each overcharged customer, we have ordered companies to dispose of the remaining amount by prospective rate reductions or paying the remaining amount to the Commission for deposit in the General Revenue Fund. In this case, GTC said a prospective rate reduction would be impractical due to the small number of pay telephones it operates and was unsure whether paying the money to the State would comply with a settlement agreement reached in an Alabama lawsuit. We, therefore, ordered GTC to refund directly to customers it could locate and propose a method to dispose of the remaining money.

On May 2, 1996, GTC filed a proposal to dispose of the remaining monies. GTC notified the Commission that it had begun the refund process and expected to complete the direct refunds by the end of August. GTC expects that it will be able to refund \$7,378. GTC asked that we allow it to pay the remaining amount to the Commission for deposit in the General Revenue Fund. The

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company confirms that paying the remaining amount to the Commission will comply with settlement in the Alabama lawsuit.

We believe GTC's proposal is appropriate. Over half of the overcharged money will be refunded directly to customers. GTC's offer to pay the remaining amount to the Commission for deposit in the General Revenue Fund is consistent with our action in previous dockets. Accordingly, we accept GTC's proposal.

GTC also asked that we correct a typographical error in Order No. PSC-96-0299-FOF-TP. On page three of the Order, it states a lawsuit began in April, 1995. The correct date is April, 1994.

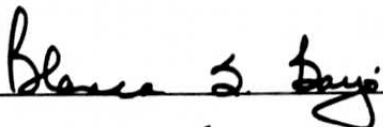
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Global Tel*Link Corporation's refund proposal is accepted as outlined in the body of this Order. It is further

ORDERED that Order No. PSC-96-0299-FOF-TP is corrected to reflect the correct date as described in the body of this Order.

ORDERED that, unless a person whose substantial interests are 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 shall become final and this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 20th day of August, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

LMB

Commissioner Diane K. Kiesling concurs with the result but would have corrected the typographical error by using an amendatory order so that anyone would be on notice of what had occurred.

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on September 10, 1996.

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.