

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 941164-TI
certificate to provide) ORDER NO. PSC-96-1074-FOF-TI
interexchange telecommunications) ISSUED: August 20, 1996
service by Telcom United North,)
Inc.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
JOE GARCIA
DIANE K. KIESLING

ORDER APPROVING OFFER OF SETTLEMENT

BY THE COMMISSION:

By Order No. PSC-93-1218-FOF-TI, issued August 24, 1993, Telcom United North, Inc. (TUNI) was granted Certificate No. 3197 to provide interexchange telecommunications service. However, on March 11, 1994, we received a request from Ms. Gail Matteo, Administrative Vice President of TUNI, to cancel the company's certificate, effective immediately. Accordingly, the certificate was cancelled on June 2, 1994, by Order No. PSC-94-0552-FOF-TI, issued May 11, 1994.

On July 18, 1994, we became aware of complaints being received against TUNI. These complaints concerned unauthorized switching of consumers' telephone service from their original carrier to TUNI.

Because a certificate is required to resell telecommunications service, TUNI was contacted and another application was mailed to the company on August 8, 1994. The application for certification was returned and put on the instant docket on November 1, 1994.

Since TUNI appeared to be operating without a certificate and to address the slamming complaints, TUNI was ordered to show cause why it should not be fined by Order No. PSC-95-0925-FOF-TI, issued July 31, 1995. By its timely filed response, TUNI denied that it purposely violated any Commission rules. Notwithstanding, by letter dated May 31, 1996, TUNI submitted its proposed settlement offer of \$1,000.

DOCUMENT NUMBER-DATE

08778 AUG 20 96

FPSC-RECORDS REPORTING

ORDER NO. PSC-96-1074-FOF-TI
DOCKET NO. 941164-TI
PAGE 2

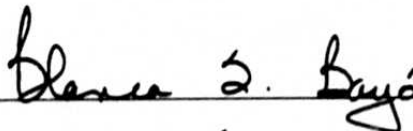
We find that it is appropriate to accept the settlement offer proposed by TUNI to resolve the apparent violations of Rules 25-24.470 and 25-4.118, Florida Administrative Code. Continued violations of the Commission's rules may result in opening another docket to recommend additional action. TUNI shall pay \$1,000 to the Florida Public Service Commission, for forwarding to the Office of the Comptroller for deposit in the State General Revenue Fund. With the remittance of the \$1,000 settlement, this docket shall be closed.

It is, therefore,

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

ORDERED that, upon our staff's verification of Telcom United North, Inc.'s remittance of its settlement of \$1,000, 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)

SKE

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.