

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of show cause) DOCKET NO. 960853-TI
proceedings against Colorado) ORDER NO. PSC-96-1339-FOF-TI
River Communications Corp. for) ISSUED: November 6, 1996
violation of Rule 25-24.480,)
F.A.C., Records and Reports;)
Rules Incorporated.)
_____)

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 SETTLEMENT OFFER

BY THE COMMISSION:

Colorado River Communications Corp., (CRC) is a provider of interexchange telecommunications service and was certificated on July 8, 1994. By Order No. PSC-96-1156-FOF-TI, issued September 17, 1996, we initiated show cause proceedings against CRC for not responding to Commission staff inquiries. On September 13, 1996, CRC submitted a proposed settlement offer. (Attachment 1)

The show cause proceedings against CRC had been initiated because we had received six consumer complaints between July 8, 1994, and July 12, 1996. Only once did Colorado River Communications respond within the 15 days allowed and in two cases, the company did not respond until after this docket was established. In recognition of these apparent violations of the Rule 25-24.480, Florida Administrative Code response requirement, CRC submitted the following settlement offer, in which the company promised to:

1. Respond to the two outstanding complaints within 15 days from the date of its settlement offer;
2. Respond to any Commission inquiry in a timely manner; and

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3. Pay a fine of \$1,000.

CRC asserted that the reason it failed to respond in a timely manner to our inquiries was that there was an internal misunderstanding about responsibility and authority for handling such matters. CRC promised to respond in a timely manner in the future. We note that on September 23, 1996, the company met its commitment to respond to the two outstanding complaints. We find, therefore, that the terms of the settlement agreement as set forth herein are fair and reasonable.

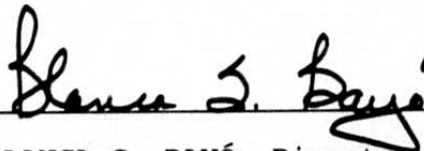
Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that the Settlement Offer proposed by Colorado River Communications Corp. is, hereby, approved. It is further

ORDERED that Colorado River Communications Corp. shall remit \$1000 to the Office of the Comptroller for deposit in the State General Revenue Fund, pursuant to Chapter 364.285 (1), Florida Statutes. It is further

ORDERED that upon remittance of the \$1,000, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 7th day of November, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

BC

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.



September 9, 1996

Ms. Paula Isler
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 960853-TI
Colorado River Communications Corp.

Dear Ms. Isler,

Per our conversation this morning, this letter serves as a formal request and settlement offer for violation of Rule 25-24.480 (1), F.A.C., Response Requirement.

Colorado River Communications Corp. does hereby pledge to respond to the two (2) outstanding violations within 15 days of this date. Colorado River Communications Corp. also pledges to respond to any Florida Public Service Commission inquiry or consumer request in the timely manner as governed by the Florida PSC. I am also requesting that all requests and inquiry's be sent to the attention of myself Kelly L. Perry, Director of Regulatory & Tax Compliance. I will personally assure that any and all matters will be addressed in an orderly and timely manner. CRC does not disregard any of the Commissions rules & regulations. The reason for the untimely response is internal, due to a lack of understanding (within CRC) of responsibility and authority. That misunderstanding has now been addressed and resolved.

I am pleading that the Florida Public Service Commission does not revoke Colorado River Communications Corp. authority to conduct business in the state of Florida. I am also pleading that the fine assessed be no more than One-Thousand Dollars (1,000.00).

Thank you for your considerations in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly L. Perry'. The signature is written over the word 'Sincerely,'.

Kelly L. Perry
Director of Regulatory & Tax Compliance