

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Coral Communications, Inc. for violation of Rule 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required.

DOCKET NO. 980336-TI
ORDER NO. PSC-99-0858-FOF-TI
ISSUED: April 29, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

ORDER CANCELING CERTIFICATE NO. 5771

BY THE COMMISSION:

On March 3, 1998, our staff observed shoppers submitting entry forms into a sweepstakes entry box at the Tallahassee Mall. The entry forms obligated the entrants to a \$7.50 recurring monthly charge on their local exchange telephone bill for a discount calling card. The calling card charges \$.25 per minute usage rates, a \$.25 per day charge and a \$2.99 set up fee. Further investigation revealed that this sweepstakes was being operated by Coral Communications, Inc. (Coral).

On April 23, 1998, by Order No. PSC-98-0573-SC-TI, issued in Docket Number 980336-TI, we ordered Coral to show cause in writing within 20 days of the effective date of the Order why it should not be fined \$25,000 per day for its apparent violations of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required.

On May 7, 1998, Coral sent our staff a proposed settlement offer. In its settlement offer, Coral agreed to refund any Florida customer complaints, to make sure all marketing materials are withdrawn from Florida, and to pay a \$15,000 penalty for operating in Florida without a certificate. On December 10, 1998, by Order No. PSC-98-1684-AS-TI, we approved Coral's settlement. Thereafter,

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on December 21, 1998, by Order No. PSC-98-1742-FOF-TI, issued in Docket No. 980491-TI, we approved Coral's application to provide interexchange service in Florida.

Subsequent to our approval of Coral's settlement offer and the issuance of Coral's certificate, we were informed by Coral's counsel that the refunds to Florida consumers were completed and Coral's marketing materials had been withdrawn from Florida. We have not, however, received the \$15,000 settlement payment from Coral. Coral's counsel informed us that Coral has no intentions of remitting the settlement payment. Coral has, therefore, failed to fully comply with Order No. PSC-98-1684-AS-TI. Therefore, we find it appropriate to cancel Coral's Certificate No. 5771. We hereby direct our staff to notify all certificated IXC's to discontinue providing interexchange telecommunications service to Coral, pursuant to Rule 25-24.4701(3), Florida Administrative Code.

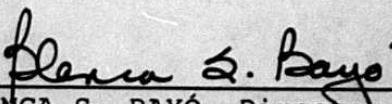
Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that Coral Communication, Inc.'s Certificate No. 5771 is hereby canceled, effective the date of the issuance of this Order. It is further

ORDERED that all Florida-certificated companies shall cease providing interexchange telecommunications service to Coral Communications, Inc. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission this 29th day of April, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.