

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Corporate Services Telcom, Inc. for violation of Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection.

DOCKET NO. 980950-TI  
ORDER NO. PSC-99-1087-AS-TI  
ISSUED: May 27, 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 APPROVING SETTLEMENT

BY THE COMMISSION:

On June 1, 1996, we granted Corporate Services Telcom, Inc. (CST) certificate number 4441 to provide intrastate interexchange telecommunications service. CST reported gross operating revenues of \$1,736,559.24 and gross intrastate revenues of \$371,219.85 on its Regulatory Assessment Fee Return for the period January 1, 1998, through December 31, 1998. The Division of Consumer Affairs received 181 complaints concerning CST from July 31, 1996, through July 28, 1998. Of those complaints, 55 were determined apparent unauthorized carrier change (slamming) infractions in violation of Rule 25-4.118, Florida Administrative Code. The Commission issued Order No. PSC-98-1265-SC-TI, on September 23, 1998, requiring CST to show cause why it should not have certificate number 4441 canceled or be fined \$550,000 for 55 apparent violations of Rule 25-4.118, Florida Administrative Code. On October 13, 1998, CST voluntarily ceased marketing in Florida and filed a timely response to the Show Cause Order and a Motion for More Definite Statement. On April 15, 1999, CST submitted an offer of settlement.

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When CST filed its response to the Commission's Show Cause Order, it also filed a Motion for More Definite Statement. Since we approve CST's Offer of Settlement, the outstanding motion is moot.

On April 15, 1999, after several meetings with staff, CST submitted an offer to settle. In its settlement offer, CST agreed to do the following:

1. CST will continue to suspend telemarketing practices in Florida through October 15, 1999.
2. Upon resuming marketing in Florida, CST will install a warm transfer system by which customers calling the Commission with complaints of unauthorized PIC changes may be transferred directly to CST's toll-free line.
3. CST will allow Commission staff to review any marketing materials before they are utilized in Florida.
4. CST will address and resolve all customer inquiries and complaints.
5. CST will make a contribution of \$20,000 to the general revenue fund of the State of Florida with no admission of liability or wrongdoing.

We believe that CST's offer to make a voluntary payment of \$20,000 is acceptable in this instance. CST shall be required to make this payment to the General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes, within five business days after this order becomes final.

Upon consideration, CST's settlement offer seems fair and reasonable, and it relieves the concerns that we identified in Order No. PSC-98-1265-SC-TI. In addition, the company has been very cooperative in resolving all issues. Therefore, CST's settlement offer is approved.

Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that the settlement offer submitted by Corporate Services Telcom, Inc. is accepted. It is further

ORDER NO. PSC-99-1087-AS-TI  
DOCKET NO. 980950-TI  
PAGE 3

ORDERED that Corporate Services Telcom, Inc. shall remit \$20,000 to the State of Florida General Revenue Fund, in accordance with Section 364.285(1), Florida Statutes, within five business days after this Order becomes final. It is further

ORDERED that this docket shall be closed upon remittance of the \$20,000 payment.

By ORDER of the Florida Public Service Commission this 27th day of May, 1999.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

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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

ORDER NO. PSC-99-1087-AS-TI  
DOCKET NO. 980950-TI  
PAGE 4

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.