

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Reliable Telephone Company for violation of Rule 25-24.515, F.A.C., Pay Telephone Service.

DOCKET NO. 990629-TC
ORDER NO. PSC-99-1386-AS-TC
ISSUED: July 19, 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 OFFER OF SETTLEMENT

BY THE COMMISSION:

Reliable Telephone Company (RTC) currently holds Certificate of Public Convenience and Necessity No. 4628, granted by this Commission on June 14, 1996, authorizing the provision of pay telephone service. On January 25, 1999, the 1998 regulatory assessment fee return of RTC reported \$88,173 in gross intrastate revenues and 95 pay telephones in operation.

On February 18, 1999, our staff performed a routine service evaluation on two pay telephone stations operated by Reliable Telephone Company. On March 22, 1999, our staff received a Service Violation Correction Form from RTC signifying that all apparent violations were corrected.

On April 21, 1999, the two pay telephone stations were reevaluated by our staff. Although RTC reported that all violations had been corrected, the table provided as Attachment A, incorporated herein by reference, depicts the apparent rule violations that were the same violations observed during the initial evaluation.

DOCUMENT NUMBER-DATE

08528 JUL 1999

PSC-RECORDS/REPORTING

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On May 17, 1999, our staff opened this docket to investigate whether RTC should be required to show cause why it should not be fined or have its certificate canceled. Before a recommendation was filed, RTC submitted a settlement offer, which is Attachment B, incorporated herin. In its offer, RTC agreed to do the following:

- RTC will voluntarily pay \$300 to the General Revenue Fund.
- RTC will conduct a thorough inspection of all its pay telephones to ensure compliance with Commission rules.
- RTC will cooperate, on a timely basis, with our staff.

We believe the settlement offer is fair and reasonable, and we hereby accept it. We support RTC's offer to conduct a thorough inspection of all of its pay telephones to ensure compliance with our rules. By initiating this action, RTC has created a proactive approach to compliance.

The \$300 contribution shall be remitted to this Commission within ten business days from the issuance date of this Order and shall identify the docket number and company name. The Commission will forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the settlement offer, the company's certificate shall be canceled administratively with an effective date 5 days after the settlement was due, and the monetary settlement will be forwarded to the Comptroller's office for collection.

Based on the foregoing, it is

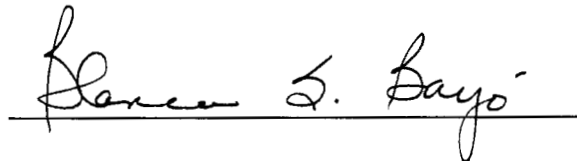
ORDERED by the Florida Public Service Commission that the offer of settlement by Reliable Telephone Company, which is appended as Attachment A to this Order and by reference is incorporated herein, is hereby approved. It is further

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ORDERED that Reliable Telephone Company shall remit \$300 within ten business days of the issuance of this Order. The voluntary contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the \$300, this docket shall be closed administratively. It is further

ORDERED that if Reliable Telephone Company fails to make payment in accordance with the terms in its settlement offer, Certificate No. 4628 shall be canceled administratively with an effective date five days after the monetary contribution was due, and the monetary settlement will be forwarded to the Comptroller's office for collection. This docket shall then be closed administratively.

By ORDER of the Florida Public Service Commission this 19th day of July, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

JAM

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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.

RTC

Reliable Telephone Co.

99 MAY 28 11 03 15

Public Service Commission
Mr. Ray Kennedy
2540 Shumard Oak Blvd.
Tallahassee, Fl. 32399-0850

Dear Mr. Kennedy,

After speaking with you today in reference to opening a docket number for our violations against 4074209045, and 4074209559. I would like to apologize for what may have seemed as an untimely response to these problems:

In all honesty what happened is, I trusted an employee to do his job when these violations were given to him to correct. We were told that the violations were taken care of, this proved to be incorrect. I made a visit to this location last week and observed that the labels on these two pay phones had indeed not been replaced as I was told, and immediately replaced them. I also checked the ringer on 4074209559, you can hear it, but it is faint. I replaced the computer board in the phone and it now has a louder ring.

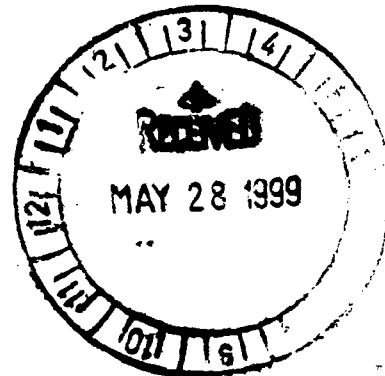
I understand, and deserve to get "dinged" on these violations, especially when a response was sent back with a reply that the problem had been corrected, (twice). We offer to pay the \$300 fine as a settlement and perform payphone checks as further described in this letter. By no means are we trying to "get by" with anything, our company is committed to quality service to our customers, of which the PSC is. This employee has been given a copy of the latest regulations, and strict instructions to follow them. I will also be doing a thorough inspection of all of my locations. I again apologize for our total lack of cooperation in a timely fashion, and want to assure the PSC that this will not happen again.

Also, one of your representatives was at a couple of our hotel locations and called our office doing a test call yesterday. He told me both hotels did not display numeric addresses, and one phone did not except dimes. As of 2:00pm today, a new coinco device has been installed, which will accept all coins, and numeric addresses have been correctly posted on all phones. These numbers were 4073871008, 4073871009(problem with dimes), 4073872008, 4073872009, 4073872010, 4073872011, and 4073872012. When your department sends out the violation letter for these, we will again respond in an expeditious manner. I just wanted to let you know in advance that it has already been corrected.

Please be assured that my company will perform in a more professional manner in the future.

Sincerely,

Randy Newton



Original copy also sent by USPS

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ATTACHMENT A

Pay Telephone Station Number	Rule 25-24.515(9)(a), Florida Administrative Code	Rule 25-24.515(13)(a), Florida Administrative Code
	Location Address Not Displayed	Incoming Call Could Not Be Received (Bell Not Heard)
407-420-9045	X	
407-420-9559	X	X

RECEIVED-FPSC

M E M O R A N D U M

99 JUL 16 AM 11:14

July 16, 1999

RECORDS AND REPORTING

Resubmitted 7/19 - 12:10pm

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (MILLER) *Jam CB*

RE: DOCKET NO. 990629-TC - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST RELIABLE TELEPHONE COMPANY FOR VIOLATION OF RULE 25-24.515, F.A.C., PAY TELEPHONE SERVICE.

-AS-

~~99-1374-AS~~ 1386

Attached is an ORDER APPROVING OFFER OF SETTLEMENT, to be issued in the above-referenced docket. (Number of pages in order - 6)

ATTACHMENT(S) NOT ON-LINE

JAM/anc
 Attachment
 cc: Division of Communications
 I: 990629.jam

pg 2 attach's not online
~~See pg 1~~

JR LAR,

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Number of Originals 5 Date 7, 20, 99 Copies Per Original 19
Requested By [Signature]

Item Presented
Agenda For (Date) _____ Order No. 99-1386 In Docket No. 990629
Notice of _____ For (Date) _____ In Docket No. _____
Other _____

Special Handling Instructions _____

Distribution/Mailing			
Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>19</u>	Commission Offices	---	_____
<u>(2)</u>	Docket Mailing List - Mailed <u>PAL</u>	_____	_____
_____	Docket Mailing List - Faxed _____	_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification
Job Number 206 Verified By Michael
Date and Time Completed 7/21 Job Checked For Correctness and Quality (Initial) ---

Mail Room Verification
Date Mailed / Verified By /