

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide interexchange telecommunications service by Vendormatic, Inc. d/b/a HSS Vending Distributors, and initiation of show cause proceedings for violation of Rule 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required.

DOCKET NO. 961309-TI  
ORDER NO. PSC-99-1576-PCO-TI  
ISSUED: August 11, 1999

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code, a Prehearing Conference was convened on July 30, 1999, in Tallahassee, Florida, before Commissioner Julia L. Johnson, as Prehearing Officer.

APPEARANCES:

Beth Keating, Esquire, Florida Public Service Commission,  
2540 Shumard Oak Boulevard, Tallahassee, Florida  
32399-0850  
On behalf of the Commission Staff.

**ORDER CONTINUING PROCEEDING**

I. CONDUCT OF PROCEEDINGS

Pursuant to Rule 28-106.211, Florida Administrative Code, this Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

II. CASE BACKGROUND

By Order No. PSC-97-0937-FOF-TI, issued August 5, 1997, we ordered Vendormatic, Inc., d/b/a HSS Vending Distributors (HSS), to show cause why it should not be fined in the amount of \$25,000 for violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required. On

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FPSC-RECORDS/REPORTING

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August 26, 1997, HSS filed a Response to Order to Show Cause (response). In the response, HSS requested that the proposed fine not be assessed and that a formal hearing be initiated before any such assessment. On the same date, HSS filed a Petition for Formal Proceeding (petition) pursuant to Section 120.57, Florida Statutes. By Order No. PSC-99-0125-PCO-TI, issued January 22, 1999, and Amendatory Order No. PSC-99-0125A-PCO-TI, issued March 2, 1999, we denied HSS's settlement offer and reset this matter for hearing on August 12, 1999.

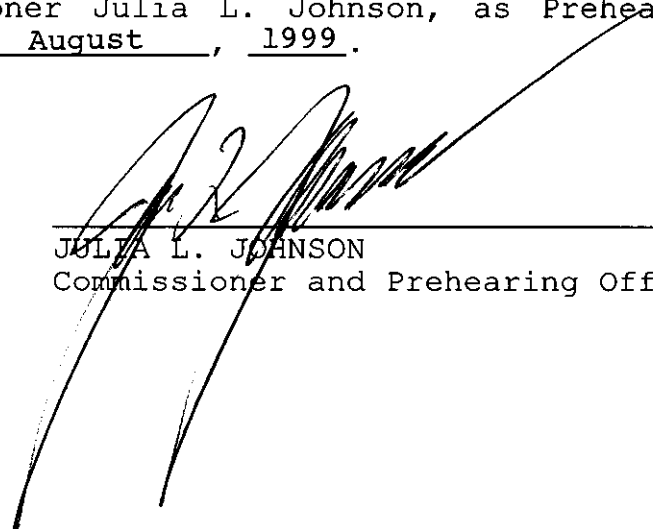
### III. CONTINUANCE

HSS failed to appear at the July 30, 1999, prehearing conference and did not comply with any portion of the Order Establishing Procedure for this Docket, Order No. PSC-99-0443-PCO-TI, issued March 4, 1999. Therefore, the prehearing conference and the August 12, 1999, hearing shall be continued to allow our staff to prepare a recommendation on the issues for consideration by the full Commission.

It is therefore,

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that the proceedings in this Docket are continued for the reason and purpose set forth in the body of this Order.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 11th day of August, 1999.



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JULIA L. JOHNSON  
Commissioner and Prehearing Officer

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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 this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.