

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Teresa M. Monte d/b/a Syncom Communications for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service.

DOCKET NO. 990756-TC  
ORDER NO. PSC-99-1624-AS-TC  
ISSUED: August 18, 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:

Teresa M. Monte d/b/a Syncom Communications (Syncom or company) currently holds Certificate of Public Convenience and Necessity No. 2644, issued by this Commission on April 2, 1991, authorizing the provision of pay telephone service. On October 30, 1998, Syncom filed a 1998 regulatory assessment fee return, reporting gross intrastate revenues of \$20,783.21 and 33 pay telephones in operation. On February 16, 1999, our staff performed routine service evaluations on several pay telephones operated by Syncom. Through written correspondence, we notified Syncom of apparent violations. On March 8, 1999, we received a Service Violation Correction Form from Syncom signifying that all apparent violations were corrected. On April 21, 1999, our staff reevaluated the pay telephone station. Although Syncom reported that all violations had been corrected, we found an apparent rule violation that was the same as the one observed during the initial evaluation.

This docket was opened on June 14, 1999. On June 30, 1999, Syncom contacted us to discuss the method for settlement of this case. By letter dated July 8, 1999, Syncom submitted its offer to

DOCUMENT NUMBER-DATE

09822 AUG 18 99

FPSC-RECORDS/REPORTING

ORDER NO. PSC-99-1624-AS-TC  
DOCKET NO. 990756-TC  
PAGE 2

settle, provided as Attachment A and incorporated herein by reference. In its offer, Syncom agreed to do the following:

- Syncom will voluntarily pay \$100 to the General Revenue Fund.
- Syncom will perform routine inspections of all its pay telephone stations to ensure compliance with Commission rules.

We accept Syncom's offer to conduct routine inspections of all its pay telephone stations to ensure compliance with Commission rules. By initiating this action, Syncom has taken a proactive approach to compliance, rather than a reactive response to our inquiries. We believe the settlement offer to be fair and reasonable, and accordingly, do hereby accept it.

The \$100 contribution shall be received by the 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 Syncom fails to pay the \$100 voluntary contribution in accordance with the terms of the offer of settlement, the unpaid monetary settlement shall be forwarded to the Comptroller's office for collection, and this docket shall be closed.

Based on the foregoing, it is

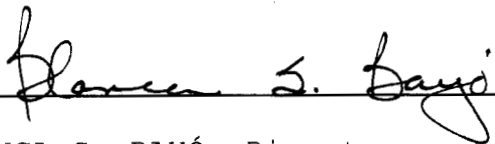
ORDERED by the Florida Public Service Commission that the offer of settlement by Teresa M. Monte d/b/a Syncom Communications, which is appended as Attachment A and incorporated herein by reference, is hereby approved. It is further

ORDERED that Teresa M. Monte d/b/a Syncom Communications shall remit the \$100 voluntary contribution to the Commission within ten business days from the issuance date of this Order and shall identify the docket number and company name. This voluntary contribution shall 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, this docket shall be closed administratively. It is further

ORDER NO. PSC-99-1624-AS-TC  
DOCKET NO. 990756-TC  
PAGE 3

ORDERED that if Teresa M. Monte d/b/a Syncom Communications fails to pay in accordance with the terms of the offer of settlement, the unpaid monetary settlement shall be forwarded to the Comptroller's office for collection, and this docket shall be closed administratively.

By ORDER of the Florida Public Service Commission this 18th day of August, 1999.



---

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

DMC

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

ORDER NO. PSC-99-1624-AS-TC  
DOCKET NO. 990756-TC  
PAGE 4

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.

ORDER NO. PSC-99-1624-AS-TC  
DOCKET NO. 990756-TC  
PAGE 5

RECEIVED

JUL 12 10 06 AM '99

ATTACHMENT A

**SYNCOM COMMUNICATIONS**

488 SHORT PINE CIRCLE

ORLANDO, FL 32807

407-380-1500

07/08/99

Re: Docket Number 990756-TC

Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**RECEIVED**

JUL 12 1999

**CMU**

Dear Sirs:

I would like to offer a settlement of \$100.00 for my violation of the Public Service Commissions standards of payphone operation. I would like to comment on the fact that I tried to duplicate the problem after each violation report and could not do so. I even talked with the first inspector to inquire on the actual test that he did. He told me what test he performed and I realized it was the same routine, preventative maintenance check we perform on all of our payphone sets every time we do repairs or collections. We call it a "nickel, quarter, dime test". I performed this test in the same manner he prescribed twice (once after each report) and could not duplicate the problem. Unfortunately, since I could not duplicate the problem, I noted on your form "corrections made" when in actuality I never found the problem. Elaine Johnson advised me that in the future if I didn't understand or if I was in disagreement with the violation I shouldn't put "corrections made" on the form.

I have and will continue to perform this routine test on all of my pay stations to keep them in compliance. Thank you for your consideration in this very important matter.

Sincerely,



Teresa M. Monte  
Owner,  
Syncom Communications

Requisition for Photocopying and Mailing

Date 8, 19, 99  
 Number of Originals 5 Copies Per Original 19  
 Requested By [Signature]

Item Presented \_\_\_\_\_  
 Agenda For (Date) \_\_\_\_\_ Order No. 99-1624 In Docket No. 990756  
 Notice of \_\_\_\_\_ For (Date) \_\_\_\_\_ In Docket No. \_\_\_\_\_  
 Other \_\_\_\_\_

Special Handling Instructions

Distribution/Mailing

Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>5</u>	<u>Commission Offices</u>		
<u>2</u>	<u>Docket Mailing List - Mailed</u> <u>AR</u>		
	<u>Docket Mailing List - Faxed</u>		

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

Print Shop Verification

Job Number 217 Verified By [Signature]  
 Date and Time Completed 8/19 Job Checked For Correctness and Quality (Initial) [Initials]

Mail Room Verification

Date Mailed \_\_\_\_\_ Verified By \_\_\_\_\_

MEMORANDUM

August 17, 1999

RECEIVED-FPSC

93 AUG 17 PM 3:54

RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CLEMONS) *DMC CB*

RE: DOCKET NO. 990756-TC - INITIATION OF SHOW CAUSE  
PROCEEDINGS AGAINST TERESA M. MONTE D/B/A SYNCOM  
COMMUNICATIONS FOR APPARENT VIOLATION OF RULE 25-24.515,  
F.A.C., PAY TELEPHONE SERVICE.

*1624-AS*

Attached is an ORDER APPROVING OFFER OF SETTLEMENT, with an attachment, to be issued in the above-referenced docket. (Number of pages in order - 5)

DMC/anc

Attachment

cc: Division of Communications

I: 990756o.dmc

**ATTACHMENT(S) NOT ON-LINE**

*See 1*

*2 RAR mailed*

*2/0.*