

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Payphone Connection Inc. for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service.

DOCKET NO. 990760-TC  
ORDER NO. PSC-99-1751-AS-TC  
ISSUED: September 7, 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 January 28, 1999, Payphone Connection, Inc. (Payphone), holder of Certificate No. 5607, submitted its 1998 regulatory assessment fee return, which indicated that Payphone's reported gross intrastate revenues were \$5,398.16 and that Payphone had 24 pay telephones in operation.

Subsequently, on February 23, 1999, our staff performed routine service evaluations on pay telephone stations operated by Payphone and discovered apparent violations of Rule 25 - 24.515(9)(a), Florida Administrative Code, which requires that certain information be legibly displayed at the pay telephone station. The apparent violations are set forth as follows:

<u>Pay Telephone Station Number</u>	<u>Name Of Provider Is Not Displayed</u>	<u>Local Coin Rate Is Not Posted</u>
305-531-8188	X	X
305-674-8276	X	X
305-674-8286	X	X

DOCUMENT NUMBER-DATE  
10679 SEP-7 99  
FPSC-RECORDS/REPORTING

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On March 23, 1999, our staff received a Service Violation Correction Form from Payphone Connection, Inc. signifying that the company had corrected all apparent violations. The pay telephone stations were reevaluated on April 19, 1999, and our staff discovered that the pay telephone stations still were not in compliance. Thereafter, we established this Docket to investigate whether Payphone should be required to show cause why it should not be fined \$600 or have its certificate canceled, pursuant to Section 364.285(1), Florida Statutes.

On July 26, 1999, Payphone submitted an offer to settle this case. The settlement offer is attached and incorporated in this Order as Attachment A. In its settlement offer, Payphone agreed to do the following:

- Voluntarily pay \$600 to the General Revenue Fund.
- Implement a policy of employee follow-up following a contractor's service to any pay phones that have a violation.

We agree that a follow-up to all pay phone sites is appropriate in this case. It also demonstrates Payphone's willingness to meet the objectives of our rules. Moreover, the company has been forthright in its assertion that the cited violations were valid and has been very cooperative in resolving all issues.

Based on the foregoing, we hereby accept Payphone's settlement offer in resolution of this case. We believe the offer is fair and is in the public interest. Thus, Payphone shall be required to forward the \$600 contribution to us within ten business days from the issuance date of this Order and shall identify the docket number and company name to which the contribution applies. Upon remittance of the settlement offer, this Docket shall be closed, and the contribution shall be forwarded to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund, in accordance with Section 364.285(1), Florida Statutes. If Payphone fails to pay the \$600 contribution in accordance with this Order and the terms of its settlement offer, the monetary settlement will be forwarded to the Comptroller's Office for collection.

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Based on the foregoing, it is therefore

ORDERED that the settlement offered by Payphone Connection, Inc., which is attached and incorporated herein as Attachment A, is accepted. It is further

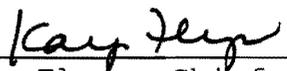
ORDERED that Payphone Connection, Inc. shall within ten business days from the issuance of this Order pay the \$600 settlement offer to this Commission for remittance to the State of Florida General Revenue Fund, in accordance with Section 364.285(1), Florida Statutes. It is further

ORDERED that if Payphone Connection, Inc. fails to remit the monetary settlement in accordance with the terms of its settlement offer and this Order, the monetary settlement shall be forwarded to the Office of the Comptroller for further collection efforts. It is further

ORDERED that upon payment of the \$600 monetary settlement or the forwarding of the settlement offer to the Office of the Comptroller for collection efforts, this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 7th Day of September, 1999.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

  
\_\_\_\_\_  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

BK

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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.

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ATTACHMENT A

JUL-28-99 14:10 FROM: 8 4 3 +4074544220 T-081 P 03/03 P-878

PAYPHONE CONNECTION, INC.

July 26, 1999

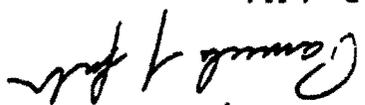
Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
Attention: Ray Kennedy

Dear Sir:

We received notification of he violations on our payphones. We had three locations that the Name of the Provider was not displayed and the local rate was not posted. We dispatched a contractor to perform the necessary service on our telephones. We later found that the contractor had not performed the service after telling us that he had. We are implementing a policy of having an employee do a follow up visit to any sites that have been cited for a violation.

We have agreed to pay the fine of \$600.00. Our company takes pride in trying to provide quality service. Your Consideration will be appreciated.

Sincerely,



Pamela J. Juhn

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PHONE: 407-454-1144 • FAX: 407-454-3203