

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 990762-TC
ORDER NO. PSC-99-1755-AS-TC
ISSUED: September 8, 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:

Coin-Tel, Inc., holder of Pay Telephone Certificate No. 3086, is a provider of pay telephone service. Coin-Tel, Inc.'s 1998 regulatory assessment fee return reported gross intrastate revenues of \$2,099,878.15 and 7725 pay telephones in operation. As a provider of pay telephone service in Florida, Coin-Tel, Inc. is subject to the rules and regulations of this Commission.

On February 17, 1999, our staff performed routine service evaluations on pay telephone stations operated by Coin-Tel, Inc. and found apparent violations of Rule 25-24.515, Florida Administrative Code. Subsequently, we received a Service Violation Correction Form from Coin-Tel, Inc. signifying that the apparent violation was corrected. However, on April 22, 1999, our staff reevaluated the pay telephone station and found the same apparent

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violations. Based on the apparent violation that was a repeat of a violation observed during the initial evaluation, this docket was opened to investigate whether Coin-Tel, Inc. should be required to show cause why it should not be fined or have its certificate canceled.

After this docket was opened but prior to going to Agenda Conference, Coin-Tel, Inc. submitted an offer to settle this matter. In its settlement offer, Coin-Tel agreed to do the following:

1. Coin-Tel will voluntarily pay \$100 to the General Revenue Fund.
2. Coin-Tel will conduct an investigation of all its pay telephones to ensure they are in compliance with Commission rules.
3. In the future, Coin-Tel will contact staff, if unsure about or are unable to duplicate a pay telephone violation.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. Coin-Tel must comply with these requirements within ten business days from the issuance date of this Order and should identify the docket number and company name. The 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. If the company fails to pay in accordance with the terms of the settlement offer, the monetary settlement will be forwarded to the Comptroller's Office for collection.

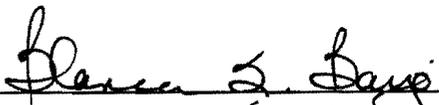
Based on the foregoing it is

ORDERED by the Florida Public Service Commission that Coin-Tel, Inc.'s settlement offer is hereby approved. It is further

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ORDERED that upon remittance of the \$100 voluntary contribution this docket shall be closed. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

By ORDER of the Florida Public Service Commission this 8th day of September, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CBW

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

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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.