

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 4222
issued to Printemps, Inc. for
violation of Rule 25-24.0161,
F.A.C., Regulatory Assessment
Fees, Telecommunications
Companies.

DOCKET NO. 991050-TC
ORDER NO. PSC-99-1869-PAA-TC
ISSUED: September 21, 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.

NOTICE OF PROPOSED AGENCY ACTION
ORDER IMPOSING FINES, REQUIRING PAYMENT OF REGULATORY ASSESSMENT
FEES AND REQUIRING INFORMATION IN ACCORDANCE WITH RULE 25-24.520,
FLORIDA ADMINISTRATIVE CODE, OR CANCELING
PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service
Commission that the action discussed herein is preliminary in
nature and will become final unless a person whose interests are
substantially affected files a petition for a formal proceeding,
pursuant to Rule 25-22.029, Florida Administrative Code.

Printemps, Inc. (Printemps) currently holds Certificate of
Public Convenience and Necessity No. 4222, issued by this
Commission on August 8, 1995, authorizing the provision of Pay
Telephone service. The Division of Administration advised our
staff by memorandum that Printemps has not paid the Regulatory
Assessment Fees (RAFs) required by Section 364.336, Florida
Statutes, and Rule 25-4.0161, Florida Administrative Code, for the
year 1998. Also, accrued statutory penalties and interest charges
for late RAFs payments for 1998 have not been paid.

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FPSC-RECORDS/REPORTING

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Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. Pursuant to Rule 25-4.0161 (2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing Pay Telephone service. All applicants must attest that these rules have been received and understood by the applicant and an affidavit must be attached to the application in order for the application to be processed.

Pursuant to Section 350.113(4), Florida Statutes, the RAF forms, for the period of January 1, through December 31, are mailed to the entities at least 45 days prior to the date that payment of the fee is due. Printemps has been given adequate opportunity to pay. The Commission's correspondence regarding the RAFs was returned by the United States Postal Service. As of the date of this vote, Printemps has not paid the required fees.

The return of these materials indicates that Printemps may have violated Rule 25-24.520, Florida Administrative Code, which requires the reporting to the Commission of an address change or a change in the name, title, or telephone number of the individual responsible for Commission contacts within ten (10) days of its effectiveness.

For the reasons described above, pursuant to Rule 25-24.514(1)(b) and (c), Florida Administrative Code, we find it appropriate to cancel Printemps' certificate for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, unless Printemps pays a \$500 fine and remits all past due RAFs, along with accrued statutory penalties and interest charges for 1998, to the Florida Public Service Commission. We also find it appropriate to cancel Printemps' certificate for failure to comply with Rule 25-24.520, Florida Administrative Code, unless Printemps pays a \$500 fine and provides the information required by Rule 25-24.520, Florida Administrative Code, to the Florida Public Service Commission. Printemps must comply with these requirements within five business days after the conclusion of the 21-day protest period. The two fines, totaling \$1,000, will be remitted to the Comptroller for deposit in the

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State of Florida General Revenue Fund, pursuant to Section 364.285, Florida Statutes.

Upon receipt of the fees, statutory penalties, interest charges, required information, and fine, this Docket shall be closed. Should Printemps fail to comply with this Order within five business days after the conclusion of the 21-day protest period, Printemps shall have its certificate canceled, effective the date of issuance of the Consummating Order, and the Docket shall be closed. The cancellation of the certificate and the closing of the Docket in no way diminishes Printemps' obligation to pay applicable delinquent regulatory assessment fees, statutory penalties, and interest charges for 1998.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Printemps, Inc. shall pay the past due Regulatory Assessment Fees, statutory penalties, interest charges, and a \$500 fine to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within five business days after the conclusion of the 21-day protest period. The fines will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that Printemps, Inc. shall provide the correct mailing address, liaison information, and other information in accordance with Rule 25-24.520, Florida Administrative Code, and pay a \$500 fine to the Florida Public Service Commission for failure to comply with Rule 25-24.520, Florida Administrative Code, within five business days after the conclusion of the 21-day protest period. The fine will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that should Printemps, Inc. fail to comply with this Order, Printemps, Inc.'s certificate shall be canceled, effective on the date of issuance of the Consummating Order, and the Docket shall be closed. It is further

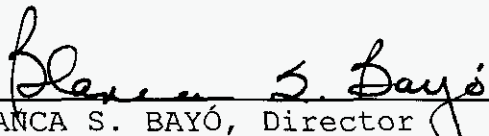
ORDERED that the cancellation of the certificate and the closing of the docket in no way diminishes Printemps, Inc.'s obligation to pay applicable delinquent Regulatory Assessment Fees, statutory penalties, and interest charges for 1998. It is further

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ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, these Dockets shall be closed upon payment of the fines, and fees, or upon cancellation of the certificates.

By ORDER of the Florida Public Service Commission this 21st day of September, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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 that is available under Section 120.57, 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 will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on October 12, 1999.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.