

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Goran Dragoslavic d/b/a First American Telecommunications Corporation for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service.

DOCKET NO. 990797-TC
ORDER NO. PSC-99-2062-AS-TC
ISSUED: October 21, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.

ORDER APPROVING OFFER OF SETTLEMENT

BY THE COMMISSION:

Goran Dragoslavic d/b/a First American Telecommunications Corporation (First American) currently holds Certificate of Public Convenience and Necessity No. 3081, issued by this Commission on August 5, 1992, authorizing the provision of pay telephone service. On January 27, 1999, First American filed a 1998 regulatory assessment fee return, reporting gross intrastate revenues of \$3,044,387.04 and 2100 pay telephones in operation. On February 18-26, 1999, our staff performed routine service evaluations on several pay telephones operated by First American. Through written correspondence, we notified First American of apparent violations. On March 8-25, 1999, we received a Service Violation Correction Form from First American signifying that all apparent violations were corrected. On April 18-27, 1999, our staff reevaluated the pay telephone stations and found the same apparent violations observed during the initial evaluation.

At our August 17, 1999, Agenda Conference, we ordered First American to show cause in writing why it should not be fined \$4,000 or have Certificate No. 3081 canceled for apparent violation of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service. On August 26, 1999, First American submitted its offer of settlement. On September 13, 1999, Order No. PSC-99-1784-SC-TC was issued, memorializing our August 17, 1999 vote.

DOCUMENT NUMBER-DATE

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BY TELETYPE REPORTING

In its settlement offer, First American agreed to do the following:

- First American will voluntarily pay \$4,000 to the General Revenue Fund.
- First American will conduct a thorough inspection of all its pay telephones to ensure compliance with Commission rules.
- First American will ensure problems are clearly understood and fixed before reporting to the Commission that they are fixed.

We accept First American's offer to conduct a thorough inspection of all its pay telephones to ensure compliance with Commission rules. By initiating this action, First American has created 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 \$4,000 contribution shall be received by us within ten business days from the issuance date of our Order and shall identify the docket number and company name. We will then 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, and this docket shall be closed.

If First American fails to pay the \$4,000 voluntary contribution in accordance with the terms of the offer of settlement, the monetary settlement will be forwarded to the Comptroller's office for collection, and this docket shall be closed.

Based on the foregoing, it is

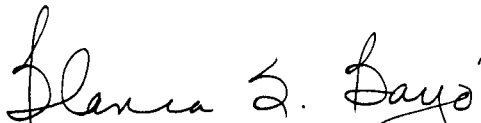
ORDERED by the Florida Public Service Commission that the offer of settlement by Goran Dragoslavic d/b/a First American Telecommunications Corporation, which is appended as Attachment A and incorporated herein by reference, is hereby approved. It is further

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ORDERED that Goran Dragoslavic d/b/a First American Telecommunications Corporation shall remit the \$4,000 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

ORDERED that if Goran Dragoslavic d/b/a First American Telecommunications Corporation fails to pay in accordance with the terms of the offer of settlement, the monetary settlement will be forwarded to the Comptroller's office for collection, and this docket shall be closed.

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

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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



FIRST AMERICAN TELECOMMUNICATION CORPORATION
— YOUR PAYPHONE COMPANY —

1527 NE 4th Avenue • Fort Lauderdale, FL 33304
Tel (954) 524-9999 • Fax (954) 524-3414 • E-Mail: fglat@msn.com

August 26, 1999

SENT CERTIFIED MAIL Z 340 923 836
SENT BY FACSIMILE

Public Service Commission
Attn: Kelly Biegalski
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Fax #: 850-413-6547

Re: Docket # 99-0797-TC.

Dear Ms. Biegalski,

Pursuant to our conversation this morning, First American Telecommunication Corporation has made the decision to settle this matter at your recommended \$4,000 fine. We have outlined our responses in a report submitted to your office approximately two (2) weeks ago. As stated in the report, First American has completed all necessary corrections pertaining to the apparent violations issued.

As always, we understand The PSC's need to enforce the rules and provide consumer protection. We will continue to work closely with you in order to meet our goal of 100% rule compliance and consumer satisfaction.

If you have any questions or comments, please call me at 954-524-9999 and I will gladly assist you.

Sincerely,

A handwritten signature in black ink, appearing to read "Guy Thomas Strempack".

Guy Thomas Strempack, Esq.
Vice President

cc: Donna Clemons, Legal Department, Public Service Commission, Fax 850-413-6217
Records and Reporting, Public Servicing Commission, Fax 850-413-6759

GTS/ljc

M E M O R A N D U M

OCTOBER 20, 1999

RECEIVED-FPSC

OCT 21 AM 9:57

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

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

RE: DOCKET NO. 990797-TC - INITIATION OF SHOW CAUSE PROCEEDINGS
AGAINST GORAN DRAGOSLAVIC D/B/A FIRST AMERICAN
TELECOMMUNICATIONS CORPORATION FOR APPARENT VIOLATION OF
RULE 25-24.515, F.A.C., PAY TELEPHONE SERVICE.

2062-AS

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

DMC/anc
Attachment
cc: Division of Communications
I: 990797or.dmc

attach not on line

ATTACHMENT(S) NOT ON-LINE

2 - RAR.