

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 990761-TC
ORDER NO. PSC-99-2129-AS-TC
ISSUED: October 27, 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:

Lizabeth Perez, (Perez) is a provider of pay telephone service, pursuant to certificate number 5382 granted by Order No. PSC-97-0753-FOF-TC, issued on June 26, 1997. As a result of two apparent violations of Section 25-24.515, Florida Administrative Code, discovered during two successive evaluations of Perez's pay telephone stations, show cause proceedings were initiated.

On September 7, 1999, Perez submitted an offer of settlement, which is attached hereto as Attachment A, and incorporated herein. In her settlement offer, Perez agreed to do the following:

- (1) Evaluate all her public pay phones to ensure proper service.
- (2) Pay a fine in the amount of \$200.

Upon consideration, we find that Perez has satisfactorily addressed the issues in this docket. We believe the settlement offer is fair and reasonable, and we hereby accept it. Payment shall be submitted to the Commission within ten business days from the date of this order. We will then forward the funds to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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If Perez fails to make all payments in accordance with the terms of the settlement offer, her certificate shall be canceled, with an effective date five days after the scheduled settlement payment was due, and the unpaid monetary settlement will be forwarded to the Comptroller's office for collection.

Based on the forgoing, it is

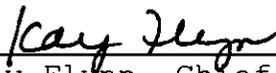
ORDERED by the Florida Public Service Commission that the offer of settlement by Lizabeth Perez, which is appended as Attachment A to this Order and, by reference, is incorporated herein, is hereby approved. It is further

ORDERED that Lizabeth Perez shall remit \$200, in accordance with the terms of this order. The payment 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 of the total amount assessed in the agreement, this docket shall be closed administratively. It is further

ORDERED that if Lizabeth Perez fails to make the payment within ten business days from the date of this order, in accordance with the terms of its settlement offer, Certificate No. 5382 shall be canceled administratively, effective 5 days after that date, and the unpaid monetary settlement will be forwarded to the Comptroller's office for collection, and this docket will be closed.

By ORDER of the Florida Public Service Commission this 27th day of October, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting



Kay Flynn, Chief
Bureau of Records

(S E A L)

CLF

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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

SEPTEMBER 7TH, 1999

LIZABETH PEREZ
LIZABETH PEREZ
1678 SOUTH 8TH ST.
FERNANDINA BCH, FL. 32034

PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL. 32399-0850

TO WHOM MAY CONCERN:

IN REFERENCE OF VIOLATION NOTICE ISSUED AUGUST 17TH, 1999. THIS IS TO NOTIFY YOU THAT I, LIZABETH PEREZ, VOLUNTEER TO PAY THE \$200.00 FINE FOR THE PUBLIC SERVICE COMMISSION. PLEASE CONSIDER THIS AS A VOLUNTARY DONATION FOR WATHEVER USE YOU THINK IS NECESSARY AND FOR YOUR EFFORTS TO MAINTAIN THE WELFARE OF OUR COMMUNITY.

I REALIZE THAT IS YOUR JOB TO ENFORCE THOSE RULES AND REGULATIONS IN ORDER TO SERVE BETTER.

I APOLOGIZED FOR THE INCONVINIENCE THIS MAY CAUSE YOU. I WILL MAKE SURE THAT WONT HAPPEN ANYMORE, AND I WILL DO A REEVALUTION ON ALL OUR PUBLIC PHONES, TO ENSURE THE PROPPER SERVICE.

ANY QUESTION YOU MAY HAVE, PLEASE CALL ME ON YOU EARLIEST CONVINIENCE AT (904) 261-7600 FROM 8:00 TO 5:00, OR (904) 321-0262 AT NIGHT TIME.

SINCERILY YOURS

