

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Carib Comm, Limited Partnership for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries; and fine assessment for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

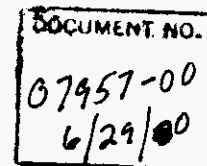
DOCKET NO. 000034-TI  
ORDER NO. PSC-00-0373A-SC-TI  
ISSUED: June 29, 2000

ORDER AMENDING ORDER NO. PSC-00-0373-SC-TI

On February 22, 2000, Order No. PSC-00-0373-SC-TI was issued, ordering Carib Comm, Limited Partnership (Carib or company) to show cause within 21 days of the issuance date of the Order why it should not be fined \$10,000 for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries. Order No. PSC-00-0373-SC-TI also required Carib to provide, within ten days of the issuance date of the Order, a written response to our staff's August 2, 1999, letter. Additionally, the Order assessed, as proposed agency action, a \$500 fine against Carib for failure to comply with Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies.

No timely response to the show cause portions of the Order was received, resulting in the automatic assessment of the \$10,000 fine. Additionally, there was no timely protest of the proposed agency action portion of the Order assessing the \$500 fine, and on March 20, 2000, Consummating Order No. PSC-00-0570-CO-TI was issued, making the fine amount final and effective. To date, Carib has not paid any of the ordered fines. By letter dated March 8, 2000, however, it provided a response to staff's August 2, 1999, letter, and on March 30, 2000, it filed an untimely response to the Order.

The Order provides for the cancellation of the company's certificate if the \$10,000 fine is not paid within ten business days after the Order becomes final. Due to a scrivener's error, the Order also provides for the cancellation of the company's certificate if the \$500 fine is not paid within ten business days of the issuance of the Order and the proposed agency action is not



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timely protested. At our February 1, 2000, Agenda Conference, however, we did not vote to cancel the company's certificate in the event the company failed to pay in accordance with the Order, but instead voted to forward the \$500 fine plus statutory penalty and interest charges to the Comptroller's Office for collection. Accordingly, Order No. PSC-00-0373-SC-TI is hereby amended to correct this error.

Also due to a scrivener's error, the Order conditions the closing of the docket upon payment of the fines if no response to the show cause portions of the Order is filed and the proposed agency action portions of the Order become final and effective. However, we voted to allow the administrative closing of the docket not upon payment of the fines, but upon issuance of a consummating order and if no response is received to the show cause portions of the Order. Accordingly, Order No. PSC-00-0373-SC-TI is hereby amended in this regard, and this docket shall be closed.

Order No. PSC-00-0373-SC-TI is reaffirmed in all other respects.

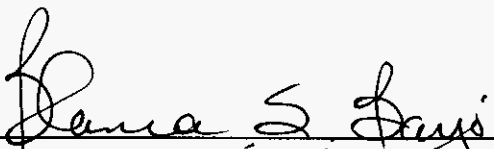
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. PSC-00-0373-SC-TI is hereby amended as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-00-0373-SC-TI is reaffirmed in all other respects. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 29th day of June, 2000.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

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