

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Compliance investigation of Campus  
Communications Group, Inc. for apparent  
violation of Section 364.183(1), F.S., Access to  
Company Records.

DOCKET NO. 060062-TX  
ORDER NO. PSC-06-0659-AS-TX  
ISSUED: August 4, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
J. TERRY DEASON  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW

ORDER ACCEPTING SETTLEMENT OFFER

BY THE COMMISSION:

**I. Background**

On January 24, 2006, our staff opened Docket No. 060062-TX against Campus Communications Group, Inc. (Campus) for its apparent violation of Section 364.183(1), F.S., Access to Company Records. On June 3, 2005, our staff sent a certified letter via the United States Postal Service (U.S.P.S.) to Campus requesting data contained in its company records for inclusion in the Florida Public Service Commission's (this Commission's) annual report to the Legislature on the status of local competition in Florida (local competition report). This Commission's certified letter was returned by the U.S.P.S. marked, "Box Closed/Unable to Forward/Return to Sender."

On April 24, 2006, this Commission issued Proposed Agency Action (PAA) Order No. PSC-06-0342-PAA-TX in Docket No. 060062-TX, imposing a \$10,000 penalty on the company for its apparent violation of Florida's statutes. On May 17, 2006, Campus submitted a proposal to settle the issue in the docket. We are vested with jurisdiction over this matter pursuant to Sections 364.183, 364.285 and 364.386, Florida Statutes.

**II. Analysis:**

On May 17, 2006, Campus submitted an offer to settle the issue in this docket. In its letter, Campus stated that when our staff mailed the June 3, 2005, request, the company was undergoing management changes, and its post office box was inadvertently closed without the knowledge of the new management. This Commission's request was returned as undeliverable because the post office box was closed and apparently had been closed for several months. Subsequently, the company updated its mailing address with this Commission on June 8, 2005.

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Our staff did not mail a second notice to Campus as the post office box was reportedly closed. Given the circumstance that it never received the second letter, Campus proposed the following:

- A monetary offer of \$1,000.00; and
- To establish internal procedures to ensure that future communications from this Commission would be promptly and properly addressed.

We find that the terms of the settlement agreement are consistent with those accepted by us in Docket No. 000215-TX, In Re: Initiation of show cause proceedings against Smart City Networks for apparent violation of Section 364.183(1), F.S., Access to Company Records. This Commission voted to accept the company's offer of \$1,000 on the basis that our staff had no proof that the company had received the second request. The circumstances in Campus' case are similar to those of the company in Docket No. 000215-TX.

We find it appropriate to accept Campus Communications Group, Inc.'s settlement offer to voluntarily contribute \$1,000 to this Commission for deposit in the General Revenue Fund to resolve its apparent violation of Section 364.183(1), Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Campus Communications Group, Inc.'s settlement offer to voluntarily contribute \$1,000 to this Commission for deposit in the General Revenue Fund to resolve its apparent violation of Section 364.183(1), Florida Statutes, be accepted. It is further

ORDERED that this docket shall remain open pending Campus' remittance of the \$1,000 voluntary contribution, made payable to the Florida Service Commission. If Campus fails to remit the contribution within 14 days of the issuance of the order, its competitive local exchange company Certificate No. 4446 shall be canceled. It is further

ORDERED that this docket shall be closed administratively upon either receipt of the \$1,000 contribution or upon cancellation of the company's certificate.

By ORDER of the Florida Public Service Commission this 4th day of August, 2006.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

TLT

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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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.