

By
6/30

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause
proceedings for failure to file 1990
annual reports:

MTS-TAMPA, INC.
SUNFOREST COMMUNICATIONS GROUP

DOCKET NO. 910134-TI
DOCKET NO. 910137-TI
ORDER NO. 24630
ISSUED: 6/6/91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
J. TERRY DEASON
BETTY EASLEY
GERALD L. GUNTER
MICHAEL MCK. WILSON

ORIGINAL
COPY

ORDER IMPOSING FINES

ACK _____
AFA _____
APP _____
CAF _____
CMU /

BY THE COMMISSION:

CTR _____ By Order No. 24247 (the Order), issued March 18, 1991, we
EAG _____ ordered MTS-Tampa, Inc. (MTS-Tampa) and Sunforest Communications
LEG / _____ group (Sunforest) to show cause in writing why a \$1000 fine should
LIN _____ not be assessed against them for violation of Rule 25-24.480,
OPC _____ Florida Administrative Code (the Rule). The Rule requires each
RCH _____ interexchange carrier (IXC) to file an annual report with the
SEC / _____ Commission by January 31 of each year. Both MTS-Tampa and
WAS _____ Sunforest filed their annual reports on February 1, 1991. The
OTH _____ Order stated that the companies could pay the assessed fine or
provide a written response by April 8, 1991.

On April 8, 1991, both MTS-Tampa and Sunforest responded to the Order from claiming that the reports were completed and mailed in time to be delivered by the deadline. The companies asked whether it was possible that the reports were received but not recorded until February 1. However, in a telephone conversation on February 4, 1991 with a representative of both companies, our Staff

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REC-RECORDS/REPORTING

MTS - TAMPA, INC.

4300 W. CYPRESS ST., SUITE 408
TAMPA, FL 33607
PHONE 873-3884

2424

June 18, 19 91

PAY TO THE
ORDER OF FLORIDA PUBLIC SERVICE COMMISSION

\$ 1,000.00

ONE THOUSAND AND NO/100

DOLLARS

4300 West Cypress Street
Tampa, Florida 33607

for Late Filing Fine for 1990

Barbara D. Pearty

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

By
6/20

In re: Initiation of show cause
proceedings for failure to file 1990
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ORDER IMPOSING FINES

BY THE COMMISSION:

By Order No. 24247 (the Order), issued March 18, 1991, we ordered MTS-Tampa, Inc. (MTS-Tampa) and Sunforest Communications Group (Sunforest) to show cause in writing why a \$1000 fine should not be assessed against them for violation of Rule 25-24.480, Florida Administrative Code (the Rule). The Rule requires each interexchange carrier (IXC) to file an annual report with the Commission by January 31 of each year. Both MTS-Tampa and Sunforest filed their annual reports on February 1, 1991. The Order stated that the companies could pay the assessed fine or provide a written response by April 8, 1991.

On April 8, 1991, both MTS-Tampa and Sunforest responded to the Order from claiming that the reports were completed and mailed in time to be delivered by the deadline. The companies asked whether it was possible that the reports were received but not recorded until February 1. However, in a telephone conversation on February 4, 1991 with a representative of both companies, our Staff explained that all mail received between the Florida Public Service Commission's official operating hours of 7:45 am and 4:45 pm is recorded that same day.

MTS-Tampa and Sunforest have held IXC certificates since June 25, 1986, and September 14, 1987, respectively. We believe that as long as a company holds an IXC certificate it is the company's responsibility to comply with all Commission rules. Additionally, all IXCs were notified by letter dated November 16, 1990 and January 3, 1991, reminding them that the January 31 deadline was

DOCUMENT NUMBER-DATE

05684 JUN-6 1991

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