


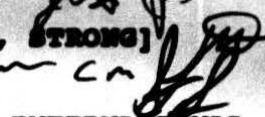
Swafford: 

FLORIDA PUBLIC SERVICE COMMISSION
Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0850

MEMORANDUM

SEPTEMBER 19, 1991

TO : DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF COMMUNICATIONS [WILLIAMS, STRONG] 
DIVISION OF LEGAL SERVICES [MURPHY] 

RE : DOCKET NO. 910693-TI; APPLICATION OF INTERNATIONAL TELECOMMUNICATIONS EXCHANGE CORPORATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING OPERATION AS AN INTEREXCHANGE TELEPHONE COMPANY IN FLORIDA.

AGENDA : OCTOBER 15, 1991 - CONTROVERSIAL - PARTIES MAY PARTICIPATE

PANEL : FULL COMMISSION

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission accept INTERNATIONAL TELECOMMUNICATIONS EXCHANGE CORPORATION's (INTEX or the Company) settlement offer of \$2,500.00 which was made in response to Show Cause Order No. 25018, issued September 5, 1991, for the Company's violation of Rule 25-24.470, Florida Administrative Code by providing intrastate telecommunications service without first obtaining a Certificate of Public Convenience and Necessity from the Commission.

RECOMMENDATION: Yes, the Commission should accept INTERNATIONAL TELECOMMUNICATIONS EXCHANGE CORPORATION's (INTEX) settlement offer of \$2,500 for the Company's violation of Rule 25-24.470, Florida Administrative Code by providing intrastate telecommunications service without first obtaining a Certificate of Public Convenience and Necessity from the Commission.

Docket No. 910693-TI
September 19, 1991

STAFF ANALYSIS: Based on inquiries received by the Commission and an admission by the Company in its application for certification, we discovered that INTEX, a non-facilities based company, has been conducting business in Florida since February, 1991. For this reason, in Order No. 25018, issued on September 5, 1991, the Commission required INTEX to show cause in writing why it should not be fined up to \$3,000.00 for its violation of Rule 25-24.470, Florida Administrative Code by providing intrastate telecommunication service without first obtaining a Certificate of Public Convenience and Necessity from the Commission. On September 13, 1991, the Commission received a settlement offer (Attachment A) of \$2,500 to be paid within thirty (30) days of the date of the issuance of a Commission order authorizing settlement.

Staff recommends that the Commission accept the settlement offer. The Company has subsequently been granted a certificate of public convenience and necessity as an interexchange carrier and its actions prior to certification were not especially egregious. As stated in staff's previous recommendation, fines for this violation have ranged from \$500.00 to \$5,000.00 with \$2,500.00 being the usual amount of a fine imposed by the Commission for violations of this nature.

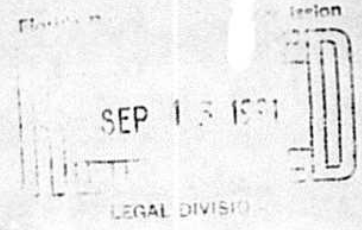
ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, this docket should be closed with the issuance of a final order either accepting the Company's settlement offer, or rejecting the settlement offer and imposing a fine of up to \$3,000.00 as provided for in Order No. 25018, which initiated show cause proceedings in this docket.

STAFF ANALYSIS: The Company has not requested a hearing. With the issuance of a final order either accepting the settlement offer or imposing a fine of up to the amount which was set forth in the Order Initiating Show Cause Proceedings, nothing remains to be done in this docket.

A total approach to communications planning

Technologies Management, Inc.



September 12, 1991
Overnight Service

Mr. Charles Murphy
Attorney
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850
(904) 487-2740

RE: Docket No. 910693-TI; Response of International Telecommunications Exchange Corporation ("INTEX") to the Commission's Order Initiating Show Cause Proceedings

Dear Mr. Murphy:

On behalf of INTEX, I am authorized to offer a settlement of the above referenced matter in the amount of \$2,500. INTEX proposes to remit payment within thirty days of the date of the order authorizing the settlement. The company, as demonstrated in its application, is ready and willing to comply with Florida rules and regulations in order to operate as a reseller of intrastate telecommunications services.

Please advise us of the Commission's decision in this matter as soon as possible. I have enclosed an extra copy of this cover letter and a self-addressed, stamped envelope to facilitate your acknowledgment of receipt of this offer.

Thank you for your assistance.

Sincerely,

Connie Wightman

Connie Wightman
Consultant to INTEX

cc: Ray McBride
to file - INTEX-FL

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SEP 17 1991

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09211 SEP 16 1991
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