

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Cancellation by Florida ) DOCKET NO. 940712-TC  
Public Service Commission of Pay ) ORDER NO. PSC-94-1079-FOF-TC  
Telephone Certificate No. 1585 ) ISSUED: September 1, 1994  
issued to RONALD E. LARUSSO )  
d/b/a THE IMRON NETWORK for )  
violation of Rule 25- )  
24.520(1)(a) and (b), F.A.C., )  
Reporting Requirements. )

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
SUSAN F. CLARK  
JULIA L. JOHNSON  
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION  
ORDER IMPOSING FINE OR CANCELLING PAY TELEPHONE CERTIFICATE

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Pay Telephone Certificate Number 1585 was issued to Ronald E. Larusso d/b/a The Imron Network on May 28, 1987. On May 18, 1994, our Division of Communications wrote Mr. Larusso concerning a complaint that a customer was unable to place a collect call using an 800 access number from a pay telephone owned by The Imron Network. The letter was returned by the U.S. Post Office with the notation of an expired forwarding address. On June 2, 1994, a certified letter was sent to the forwarding address provided by the Post Office. The letter was returned by the U.S. Post Office marked "unclaimed." Attempts to contact Mr. Larusso at the number provided to this Commission indicated the number had been disconnected.

DOCUMENT NUMBER-DATE  
09045 SEP-1 1994  
FPSC-RECORDS/REPORTING

Rule 25-24.520, Florida Administrative Code, Reporting Requirements, in pertinent part, states:

"Rule 25-24.520 Reporting Requirements

(1) Each pay telephone service company shall file with the Commission's Division of Communications updated information for the following items within 10 days after a change occurs:

(a) The street address of the certificate holder including number, street name, city, state and zip code, and the mailing address if it differs from the street address also.

(b) Name, title, and phone number of the individual responsible for contact with the Commission."

The Imron Network is in apparent violation of Rule 25-24.520, Florida Administrative Code. The address and telephone number on file with this Commission are incorrect. Accordingly, we find it appropriate to order The Imron Network to pay a \$100 fine, respond to the customer complaint, and update the contact information as required by Rule 25-24.520, Florida Administrative Code. If The Imron Network does not comply with this Order within 60 days of this Order becoming final, then Pay Telephone Certificate Number 1585 shall be cancelled and this docket shall be closed without further Commission action.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Ronald E. Larusso d/b/a The Imron Network update the information as required by Rule 25-24.520, Florida Administrative Code, respond to the customer complaint, and pay a \$100 fine to the Florida Public Service Commission within 60 days of this Order becoming final. It is further

ORDERED that when the Imron Network complies with this Order, this docket shall be closed. It is further

ORDERED that if The Imron Network does not comply with this Order within 60 days of the Order becoming final, Pay Telephone Certificate Number 1585 shall be cancelled and this docket shall be closed. It is further

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ORDERED that, unless a person whose substantial interests are affected files a protest in the form and prior to the expiration of the date set forth in the Notice of Further Proceedings, below, this Order shall become final.

By ORDER of the Florida Public Service Commission, this 1st day of September, 1994.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Flynn  
Chief, Bureau of Records

( S E A L )

LMB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on September 22, 1994.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water 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 of the effective date 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.