FLORIDA PUBLIC SERVICE COMMISSION Capital Circle Office Center • 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

MEMORANDUM

SEPTEMBER 26, 1996

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (WILDLAMS, MUSSELWHITE)

DIVISION OF LEGAL SERVICES (LUGO) SELING

RE: DOCKET NO. 961055-TI; CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 3509 ISSUED TO DBJ, INC. d/b/a DBJ OF

OKLAHOMA, INC. FOR VIOLATION OF RULE 25-24.480(2)(A)

AND (B), F.A.C., RECORDS AND REPORTS; RULES

INCORPORATED.

AGENDA: 10/08/96 - REGULAR AGENDA - PROPOSED AGENCY ACTION -

INTERESTED PERSONS MAY PARTICIPATE

SPECIAL INSTRUCTIONS: I:PSC/CMU/WP/961055.RCM

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission cancel DBJ, INC. d/b/a DBJ OF OKLAHOMA, INC.'s (DBJ) Interexchange Telecommunications Certificate No. 3509, if it fails to pay a \$250 fine and provide staff the correct mailing address, liaison information and other information as required by Rules 25-24.480, (2)(a) and (b), Florida Administrative Code?

RECOMMENDATION: Yes.

STAFF ANALYSIS: Pursuant to Chapter 364.285, Florida Statutes, the Commission may impose a fine or cancel a certificate if a company refuses to comply with Commission rules. Rule 25-24.474, Florida Administrative Code, establishes the requirements for cancellation of a interexchange telephone company (IXC) certificate. The rule provides for the Commission to cancel a certificate on its own motion for violation of Commission Rules and Orders.

DOCUMENT NUMBER-DATE

10296 SEP 26 %

DOCKET NO. 961055-TI DATE: September 26, 1996 Pursuant to Rules 25-24.480 (2)(a) and (b), Florida Administrative Code, each company is allowed 10 days after a change occurs to file updated information indicating any changes in the certificate holder's address (including street name and address, post office box, city), telephone number and any change in the name and address of the individual who is serving as primary liaison with the Commission. Mail sent to DBJ in July, 1996 was returned to our Division of Records and Reporting with the indication by the U.S. Post Office that the company is no longer at the address. Further investigation indicates that DBJ's telephone number listed in the MCD directory is disconnected. Therefore: The company has failed to comply with Rules 25-24.480 (3) (a) and (b), Florida Administrative Code, in that it has not filed with staff the change in mailing address, liaison information etc. within 10 days after the change occurred. Staff has attempted to contact the provider via telephone without success. It has been well over 10 days and staff has not been informed of the provider's correct mailing address, phone number, or liaison information. Therefore, staff recommends that the company's certificate be cancelled unless it pays a \$250 fine and provides staff with the information required in accordance with Rules 25-24.480 (3)(a) and (b), Florida Administrative Code, within 30 days of the Order becoming final. Staff notes cancellation or a fine is consistent with previous proceedings of this nature.

DOCKET NO. 961055-TI DATE: September 26, 1996

ISSUE 2: Should this docket be closed?

RECOMMENDATION: If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the Order, the Order will become final, and the provider will have 30 days from the date the Order becomes final to pay a \$250 fine and provide staff with the information as required by Rules 25-24.480 (3)(a) and (b), Florida Administrative Code, or its certificate will be cancelled without further Commission action. Upon payment of the fine or cancellation of the certificate, this docket should be closed without further Commission action.

STAFF ANALYSIS: If the Commission adopts staff's recommendation in Issue 1, then the provider will have 30 days from the date the Order becomes final to pay a \$250 fine and provide staff with the information as required by Rules 25-24.480 (3)(a) and (b), Florida Administrative Code, or its certificate will be cancelled without further Commission action. If no protest is filed in this docket, the docket should be closed after the conclusion of the 30 day period.

COMPANY INFORMATION

AS OF 09/06/1996

DBJ of Oklahoma, Inc. (DBJ, Inc. d/b/a) (TI201)

Location address

DBJ of Oklahoma, Inc. 6700 North Classen Blvd. Oklahoma City, OK 73154

Company liaison(s)

Jack T. Agosta, President, (405) 848-4494 Leon L. Nowalsky, Attorney - Tariff, (504) 832-1984

Regulation date

01/12/1994

Certificate(s)

3509

Corporate type

Corporation

Services provided

SWR

MEMORANDUM

August 7, 1996

TO.	Tommy	Williams,	Division	of	Communications

FROM: Nonnye Grant, Division of Records and Reporting

RE: Returned Mail

We have received returned mail from the United States Post Office on the following Company:

DBJ OF OKLAHOMA, INC. (DBJ, INC. d/b/a) - TI201

The Post Office returned the mail on the above Company stating the following reason(s):

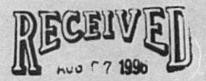
	Addressee Unknown
	Attempted - Not Known
	Box Closed - No Order
	Forwarding Order Expired
	Insufficient Address
	Moved Left No Forwarding Address
THE THE	No Forward Order on File
	No Mail Receptacle/Vacant
Section)	No Such Person or Number
	No Such Office in State
anima Uza	No Such Street
XXX	Not at this Address
	Refused
XXX	Return to Sender
120 100	Unable to Forward
	Unable to Locate
	Unclaimed
	Undeliverable as Addressed
871	Vacant
	Verification of Address furnished by Post

Please furnish us with a current address, both for <u>mail and location</u>.

Should you not be able to get a current address, can staff initiate proceedings to have the Company's certificate canceled?

Office

Copy of returned envelope attached for your information. hbg.
Attachment(s)



FPSC-RECORDS/REPORTING

