

Talbott *mmj*
Vandiver *AV*

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

M E M O R A N D U M

SEPTEMBER 26, 1996

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

FROM: DIVISION OF COMMUNICATIONS (ISLER) *PI* *AW*
DIVISION OF LEGAL SERVICES (CULPEPPER) *MCB*

RE: DOCKET NO. 960853-TI - COLORADO RIVER COMMUNICATIONS
CORP. - INITIATION OF SHOW CAUSE PROCEEDINGS FOR
VIOLATION OF RULE 25-24.480 (1), FLORIDA ADMINISTRATIVE
CODE, RESPONSE REQUIREMENT

AGENDA: OCTOBER 8, 1996 - REGULAR AGENDA - INTERESTED PERSONS MAY
PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\960853.RCM

CASE BACKGROUND

• Colorado River Communications Corp., (CRC) is a provider of interexchange telecommunications service and was certificated on July 8, 1994.

• At the September 3, 1996, Agenda Conference, the Commission voted to approve staff's recommendation to initiate show cause proceedings against CRC for not responding to Commission staff inquiries.

• After the September 3, 1996, Agenda Conference, but prior to issuance of Order No. PSC-96-1156-FOF-TI on September 17, 1996, CRC submitted a proposed settlement offer of \$1,000 and agreed to take the necessary corrective action (Attachment 1). Therefore, staff believes the following recommendation is appropriate.

DOCUMENT NUMBER-DATE

10389 SEP 26 96

FPSC-RECORDS/REPORTING

DOCKET NO. 960853-TI
DATE: September 26, 1996

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission accept the settlement offer proposed by Colorado River Communications Corp. to resolve the apparent violations of Rule 25-24.480 (1), Florida Administrative Code, Response Requirement?

RECOMMENDATION: Yes.

STAFF ANALYSIS: In recognition of its apparent violations of the Commission's response requirement, Colorado River Communications submitted the following settlement offer:

- Respond to the two outstanding complaints within 15 days from the date of its settlement offer;
- Respond to any Commission inquiry in a timely manner; and
- Pay \$1,000 to the Commission, which will be forwarded to the Office of the State Treasurer for deposit in the General Revenue Fund.

CRC advised staff that the reason it did not respond to Commission inquiries at all, or responded after the required 15 days, was due to a lack of understanding within CRC of responsibility and authority. CRC has committed to responding timely in the future. Also, on September 23, 1996, the company met its commitment to respond to the two outstanding complaints. Therefore, staff believes the terms of the settlement agreement as summarized in this recommendation are fair and reasonable.

DOCKET NO. 960853-TI
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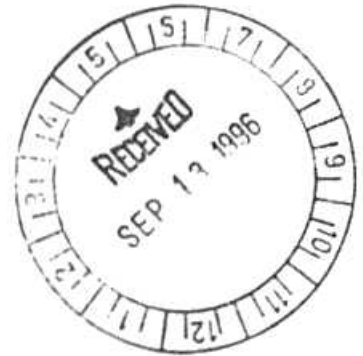
ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes.

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, and upon remittance of the \$1,000 fine and response by Colorado River Communications to the two pending complaints, this docket may be closed.



September 9, 1996



Ms. Paula Isler
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL. 32399-0850

Re: Docket No. 960853-T1
Colorado River Communications Corp.

Dear Ms. Isler,

Per our conversation this morning, this letter serves as a formal request and settlement offer for violation of Rule 25-24.480 (1), F.A.C., Response Requirement.

Colorado River Communications Corp. does hereby pledge to respond to the two (2) outstanding violations within 15 days of this date. Colorado River Communications Corp. also pledges to respond to any Florida Public Service Commission inquiry or consumer request in the timely manner as governed by the Florida PSC. I am also requesting that all requests and inquiry's be sent to the attention of myself Kelly L. Perry, Director of Regulatory & Tax Compliance. I will personally assure that any and all matters will be addressed in an orderly and timely manner. CRC does not disregard any of the Commissions rules & regulations. The reason for the untimely response is internal, due to a lack of understanding (within CRC) of responsibility and authority. That misunderstanding has now been addressed and resolved.

I am pleading that the Florida Public Service Commission does not revoke Colorado River Communications Corp. authority to conduct business in the state of Florida. I am also pleading that the fine assessed be no more than One-Thousand Dollars (1,000.00).

Thank you for your considerations in this matter.

Sincerely,

Kelly L. Perry
Director of Regulatory & Tax Compliance

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