

LPR



TELEPHONES UNLIMITED, INC.

DEPOSIT

DATE

D546

JUN 17 1997

ORIGINAL
FILE COPY

561 Thornton Road, Suite K, Lithia Springs, Georgia 30057 770-819-1600 FAX 770-819-1685

JUNE 11, 1997

FLORIDA PUBLIC SERVICE COMMISSION
DIVISION OF COMMUNICATIONS
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

ATTENTION: NANCY PRUITT



DEAR MS. PRUITT,

THIS LETTER IS IN RESPONSE TO DOCKET #970479-TC, ORDER #PSC-97-0662-FOF-TC, ISSUED
JUNE 10, 1997. ENCLOSED YOU WILL FIND:

COPY OF ORDER #PSC-97-0662-FOF-TC

SERVICE VIOLATION CORRECTION FORM (LPR)

CHECK FOR \$250.00 FINE

COPY OF CONTACT NOTIFICATION CHANGE

TO THE BEST OF OUR KNOWLEDGE ALL CORRECTIONS HAVE BEEN MADE AS SPECIFIED BY THE
COMMISSION. IF FURTHER INFORMATION IS NEEDED, PLEASE CONTACT ME AT (770)819-1600.
THANK YOU FOR YOUR ASSISTANCE IN THIS MATTER.

ACK _____

AFA _____ SINCERELY,

APP _____ *Darlene Caye*

CAF _____
CMU _____ DARLENE CAYE
ACQUISITIONS COORDINATOR

CTR _____

EAG _____

LEG _____ DC/cn

LIN _____

OPC _____

RCH _____

SEC _____ 1

WAS _____

OTH _____

DOCUMENT NUMBER-DATE
06070 JUN 17 97
FPSC-RECORDS/REPORTING

LPR



TELEPHONES UNLIMITED, INC.

561 Thornton Road, Suite K, Lithia Springs, Georgia 30057 770-819-1600 FAX 770-819-1665

May 19, 1997

Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ATTN: Nancy Pruitt, Division of Communication
Kay Flynn, Division of Records and Reporting

Dear Ms.'s Pruitt and Flynn:

In order to comply with Rules 25-24.520 (1) (a) and (b) of the Florida Administrative Code, please consider this notification to change our existing mailing address to the following:

LPR Telephones Unlimited, Inc.
561 Thornton Road
Suite K
Lithia Springs, GA 30057
Phone: (770) 819-1600

Our company liaison is Darlene Caye, Acquisitions Coordinator. Please direct all future communications to her at the address indicated in the paragraph above.

Thank you for your assistance in this matter.

Sincerely yours,

Charles E. Edwards
CEO

dwc/CEE

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 4238
issued to LPR Telephones
Unlimited, Inc. for violation of
Rules 25-4.043 and 25-24.520,
F.A.C.

DOCKET NO. 970479-TC
ORDER NO. PSC-97-0662-FOF-TC
ISSUED: June 10, 1997

The following Commissioners participated in the disposition of
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER IMPOSING FINE OR CANCELING 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.

On January 30, 1997, Commission staff mailed LPR Telephones Unlimited, Inc., (LPR) service evaluation forms on four of the utility's pay telephones, requesting LPR to take corrective action on the violations found and return the forms within 15 days. LPR did not respond. On February 17, 1997, our staff sent a follow-up request for response within 15 days to LPR by certified mail. The request was received, but again the utility did not make the requested response. On February 27, March 6, March 14 and April 3, 1997, our staff placed calls to LPR's telephone number on file with the Commission, but each time reached only a recording stating that the number was not in service.

Pursuant to Section 364.285, Florida Statutes, we are authorized to impose a fine or cancel a certificate if a utility refuses to comply with the rules of the Commission. Rule 25-

24.514, Florida Administrative Code, establishes the requirements for cancellation of a pay telephone company certificate.

Rule 25-24.520 (1)(b), Florida Administrative Code, provides that utilities are allowed 10 days to file updated information following changes in the certificate holder's telephone number. Rule 25-4.043, Florida Administrative Code, requires responses to staff inquiries within 15 days from the date of the inquiry.

LPR has not filed a change in telephone number. It is, therefore, in violation of Rule 25-24.520 (1)(b), Florida Administrative Code. In addition, the utility, in failing to respond to staff inquiries, is in violation of Rule 25-4.043, Florida Administrative Code.

Accordingly, we find it appropriate to cancel LPR's certificate unless the utility pays a \$250 fine and provides our staff with the information required by Rules 25-24.520(1)(b) and 25-4.043, Florida Administrative Code, within 30 days of the date this Order becomes final. If the utility pays the fine, the money shall be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund as required by Section 364.285, Florida Statutes. If the certificate is canceled, our staff shall notify the local exchange companies to discontinue service to the utility's telephones.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the certificate of LPR Telephones Unlimited, Inc., shall be canceled unless it pays a fine in the amount of \$250 for violation of Rules 25-24.520(1)(b) and 25-4.043, Florida Administrative Code, and furnishes the required information as described in the body of this Order within 30 days of the date this Order becomes final. It is further

ORDERED that if LPR Telephones Unlimited, Inc., pays the fine, the money shall be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund. It is further

ORDERED that if the certificate of LPR Telephones Unlimited, Inc., is canceled, Commission staff shall notify local exchange companies to discontinue service to the utility's telephones. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an

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appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed upon payment of the fine and furnishing of the required information as described in the body of this Order or upon cancellation of certificate.

By ORDER of the Florida Public Service Commission, this 10th day of June, 1997.

/s/ Blanca S. Bayó
BLANCA S. BAYÓ, Director
Division of Records and Reporting

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-904-413-6770.

(S E A L)

CJP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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

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Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on July 1, 1997.

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.

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.

Nancy - (904) 413-6127
Print (904) 413-6128 - Fax

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
SUSAN F. CLARK
J. TERRY DEASON
JOE GARCIA
DIANE K. KIESLING



DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER
DIRECTOR
(904) 413-6600

Public Service Commission

February 17, 1997 File Number
TF265.9701

LPR TELEPHONES UNLIMITED, INC.
ATTN: Charles E. Edwards
P. O. Box 746
Daytona Beach, FL 32115-0746

CERTIFIED LETTER

Dear Payphone Provider:

The Commission staff has not received your response to our previous letter concerning the violations listed below. For your convenience, you may complete the enclosed Service Violation Correction Form as your response. Please provide an explanation of the action taken to correct the violation(s), sign, and return the form within 15 calendar days.

Failure to correct these violations and respond to this letter may result in a fine being imposed and/or your pay telephone certificate being cancelled.

NUMBER	PAY PHONE ADDRESS	CITY	VIOLATION ITEMS	EVAL DATE
9042528084	600 W. INTER. SPEEDWAY	DAYTONA BCH.	6 9	01/22/97
9042528521	600 W. INTER. SPEEDWAY	DAYTONA BCH.	6 9	01/22/97
9042529520	600 W. INTER. SPEEDWAY	DAYTONA BCH.	6 9 26	01/22/97
9044279957	1203 DIXIE HWY.	NEW SMYRNA BCH.	6 9 24	01/23/97

If you have any questions, please contact me at 904/413-6504 or fax at 904/413-6505.

Sincerely,

Barbara H. Bailey

Barbara H. Bailey
Research Assistant
Bureau of Service Evaluation

6 = current directory not available

9 = name & address of payphone location not on placard

26 = Dt - didn't comply w/ standard - cut off phone 90 sec (cutting people off during conversation)

24 = 911 center couldn't verify location address correctly (had different business name)

February 17, 1997

SERVICE VIOLATION CORRECTION FORM
LPR TELEPHONES UNLIMITED, INC.

TF265.9701

SIGNED:

Darlene Caye

DATE:

6/10/1997

NUMBER

CORRECTION

9042528084 CURRENT DIRECTORY & ADDRESS OF PAYPHONE LOCATION ON PLACARD.5/22

9042528521 CURRENT DIRECTORY & ADDRESS OF PAYPHONE LOCATION ON PLACARD.5/22

9042529520 SEE * BELOW.

9044279957 SEE ** BELOW.

*CURRENT DIRECTORY & ADDRESS OF PAYPHONE LOCATION ON PLACARD. CORRECTED PROGRAMMING OF PHONE, PLACED A 1-800-CALL-ATT PHONE CALL; STAYED ON OVER 90 SECONDS. PHONE OK. PLACED A 0+ CALL & CHARGED TO MASTERCARD: STAYED ON OVER 90 SECONDS. PHONE OK.

**CURRENT DIRECTORY & ADDRESS OF PAYPHONE LOCATION ON PLACARD. NAME CHANGE OF BUSINESS FROM BECCA ROMA TO THAT'S AMORE. ADDRESS HAS BEEN CORRECTED BY BELL SOUTH IN THE 911 SYSTEM AND IN OUR RECORDS. (CHANGED FROM 1203 TO 1201 DIXIE HIGHWAY).PHONE OK ON 5/22/97