

VOTE SHEET

APRIL 7, 1998

RE: DOCKET NO. 971648-TI - Initiation of show cause proceedings against Long Distance Direct, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-4.118, F.A.C., Interexchange Carrier Selection, and 25-24.485(1)(i), F.A.C., Tariffs.

Issue 1: Should the Commission order Long Distance Direct, Inc. to show cause why it should not have Certificate Number 3524 canceled or be fined \$1,500 for apparent failure to comply with Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries?

Recommendation: Yes. The Commission should order Long Distance Direct, Inc. to show cause in writing within 20 days of issuance of the show cause order why it should not have its certificate canceled or be fined \$1,500 for apparent failure to comply with Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries. Any collected fine monies should be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures of majority commissioners]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04016 APR-7 8

FILE RECORDS/POSTING

LAW OFFICES

MARTIN, ADE, BIRCHFIELD & MICKLER, P.A.

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LYNDA R. AYCOCK  
W. O. BIRCHFIELD  
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SHARON ROBERTS HENDERSON

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JACKSONVILLE, FLORIDA 32202  
TELEPHONE (904) 354-2050  
TELECOPIER (904) 354-5842  
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SCOTT G. SCHLOBERG  
MICHAEL D. WHALEN  
GARY L. WILKINSON  
L. PETER JOHNSON (1942-1988)

April 8, 1998

APR 10 1998

FPSC - Records Reporting

Ms. Blanca Bayo, Director  
Department of Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RE: Various Dockets

Dear Ms. Bayo:

Please place me on the individual docket mailing list to receive notices and orders issued in the following various dockets:

1. Docket No. 971527-TX - Initiation of show cause proceedings against Supra Telecommunications & Information Systems for violation of Rule 25-4.043, FAC, Response to Commission Staff Inquiries, and Rule 25-24.820(1)(a), FAC, Revocation of a Certificate;
2. Docket No. 971487-TI - Initiation of show cause proceedings against LCI International Telecom Corp. for violation of Rule 25-4.118, FAC, Interexchange Carrier Selection;
3. Docket No. 971489-TI - Initiation of show cause proceedings against Home Owners Long Distance Incorporated for violation of Rule 25-4.118, FAC, Interexchange Carrier Selection;
4. Docket No. 971218-TI - Initiation of show cause proceedings against Tel-Save, Inc. d/b/a Network Services and d/b/a The Phone Company for violation of Rule 25-4.043, FAC, Response to Commission Staff Inquires;
5. Docket No. 980165-TI - Initiation of show cause proceedings against Amer-I-Net Services Corp. for violation of Rule 25-4.118, FAC, Interexchange Carrier Selection, and Rule 25-4.043, FAC, Response to Commission Staff Inquires;

Ms. Blanca Bayo  
April 8, 1998  
Page 2

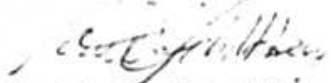
6. Docket No. 980336-TI - Initiation of show cause proceedings against Coral Communications, Inc. for violation of Rule 25-24.470, FAC, Certificate of Public Convenience and Necessity Required; and
7. Docket No. 971648-TI - Initiation of show cause proceedings against Long Distance Director, Inc. for violation of Rules 25-4.043, FAC, Response to Commission Staff Inquires, 25-4.118, FAC, Interexchange Carrier Selection, and 25-24.485(1)(i), FAC, Tariffs.

I represent several clients whose interests may be affected by the determinations made by the Florida Public Service Commission in these dockets. My mailing address and telephone number are as follows:

Martin, Ade, Birchfield & Mickler, P.A.  
c/o Scott G. Schildberg, Esq.  
P.O. Box 59  
Jacksonville, Florida 32201  
Telephone: (904) 354-2050

If you have any questions or need additional information concerning this matter, please do not hesitate to call me.

Sincerely yours,

  
Scott G. Schildberg

SGS/msa

VOTE SHEET

APRIL 7, 1998

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Issue 1: Should the Commission order Long Distance Direct, Inc. to show cause why it should not have Certificate Number 3524 canceled or be fined \$1,500 for apparent failure to comply with Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries?

Recommendation: Yes. The Commission should order Long Distance Direct, Inc. to show cause in writing within 20 days of issuance of the show cause order why it should not have its certificate canceled or be fined \$1,500 for apparent failure to comply with Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries. Any collected fine monies should be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures of majority commissioners]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04016 APR-7 88

FPC - CONSUMER REPORTING

VOTE SHEET

APRIL 7, 1998

DOCKET NO. 971648-TI - Initiation of show cause proceedings against Long Distance Direct, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-4.118, F.A.C., Interexchange Carrier Selection, and 25-24.485(1)(i), F.A.C., Tariffs.

(Continued from previous page)

Issue 2: Should the Commission order Long Distance Direct, Inc. to show cause why it should not have Certificate Number 3524 canceled or be fined \$10,000 for apparent failure to comply with Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection?

Recommendation: Yes. The Commission should order Long Distance Direct, Inc. to show cause in writing within 20 days of the effective date of the order why it should not have its certificate canceled or be fined \$10,000 for apparent failure to comply with Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection. Any collected fine monies should be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

**APPROVED**

Issue 3: Should the Commission order Long Distance Direct, Inc. to show cause why it should not have Certificate Number 3524 canceled or be fined \$250 for apparent failure to comply with Rule 25-24.485(1)(i), Florida Administrative Code, Tariffs?

Recommendation: Yes. The Commission should order Long Distance Direct, Inc. to show cause in writing within 20 days of the effective date of the order why it should not have its certificate canceled or be fined \$250 for apparent failure to comply with Rule 25-24.485(1)(i), Florida Administrative Code, Tariffs. Any collected fine monies should be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

**APPROVED**

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(Continued from previous page)

Issue 4: If the Commission approves staff's recommendation in Issue 2 or 3, should the Commission order Long Distance Direct, Inc., to show cause in writing why it should not rerate all direct-dialed calls, credit or refund the difference between the customer's preferred carrier's rates, plus interest, and LDDI's rates, credit or refund all directory assistance and operator-assisted calls, plus interest, for the entire time that Days Inn was presubscribed to LDDI as its long distance provider, and remove all late payment fees and charges?

Recommendation: Yes. The Commission should order Long Distance Direct, Inc. to show cause why it should not rerate all direct-dialed calls, credit or refund the difference between the customer's preferred carrier's rates, plus interest, and LDDI's rates, credit or refund all directory assistance and operator-assisted calls, plus interest, for the entire time that Days Inn was with LDDI, and remove all late payment fees and charges. Therefore, LDDI should be ordered to undertake an analysis of its bills to Days Inn and to provide the results to the Commission within 60 days of the disposition of Issue 2.

**APPROVED**

Issue 5: Should this docket be closed?

Recommendation: If staff's recommendations in Issue 1, 2, or 3 are approved, then Long Distance Direct, Inc. will have 20 days from issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed or have its certificate canceled. If Long Distance Direct, Inc. timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If LDDI does not respond to the Commission's Order to Show Cause, the fines should be deemed assessed. Staff recommends that, if LDDI fails to respond to the Order to Show Cause, and fines are not received within five business days after expiration of the show cause response period, LDDI's certificate should be canceled and this docket closed.

**APPROVED**

# Public Service Commission

State of Florida

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Tallahassee, Florida 32399-0850

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- no return call  
4/6/98 BM  
faxed this notice - box not go thru  
4/7/98 (904) 272-9005

Agenda for  
Commission Conference  
April 7, 1998

ITEM NO.

CASE

15\*\*

DOCKET NO. 971648-TI - Initiation of show cause proceedings against Long Distance Direct, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-4.118, F.A.C., Interexchange Carrier Selection, and 25-24.485(1)(i), F.A.C., Tariffs.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Isler  
LEG: Cox

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# FLORIDA PUBLIC SERVICE COMMISSION

## COMMISSION CONFERENCE AGENDA

**CONFERENCE DATE AND TIME:** April 7, 1998, 9:30 a.m.

**LOCATION:** Room 148, Betty Easley Conference Center

**DATE ISSUED:** March 27, 1998

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### NOTICE

Persons affected by Commission action on certain items on this agenda for which a hearing has not been held (other than actions on interim rates in file and suspend rate cases and declaratory statements) will be allowed to address the Commission when those items are taken up for discussion at this conference. These items are designated by double asterisks (\*\* ) next to the agenda item number. Persons wishing to be heard by the Commission should sign the Appearance Register, which is located on a table immediately inside the hearing room door.

Included in the above category are items brought before the Commission for tentative or proposed action which will be subject to requests for hearing before becoming final. These actions include all tariff filings, items identified as proposed agency action (PAA), show cause actions and certain others.

To obtain a copy of staff's recommendation for any item on this agenda, contact the Division of Records and Reporting at (850) 413-6770. There may be a charge for the copy. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.scri.net/psc>, at no charge.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of Records and Reporting at (850)413-6770 at least five calendar days before the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). Assistive Listening Devices are available in the Division of Records and Reporting, Betty Easley Conference Center, Room 110.

An audio version of the conference is available on the PSC HomePage, and can be accessed live on the day of the Conference or through archive storage up to six months afterward. The Florida Channel also broadcasts a live or tape-delayed video transmission on The Florida Channel via your local cable station and on satellite Telestar 4, Channel 13 (T4, 13).

Agenda for  
Commission Conference  
April 7, 1998

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