

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

MEMORANDUM

MAY 7, 1998

RECEIVED

MAY - 7 1998

11:45

FPSC - Records/Reporting

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *ZK MCB*
DIVISION OF COMMUNICATIONS (BIEGALSKI) *KB RW*

RE: DOCKET NO. 980165-TI - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST AMER-I-NET SERVICES CORP. FOR VIOLATION OF RULE 25-4.118, F.A.C., INTEREXCHANGE CARRIER SELECTION, AND RULE 25-4.043, F.A.C., RESPONSE TO COMMISSION STAFF INQUIRIES.

AGENDA: MAY 19, 1998 - REGULAR AGENDA - MOTION FOR EXTENSION OF TIME TO RESPOND TO ORDER TO SHOW CAUSE - DECISION PRIOR TO HEARING - PARTIES MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\LEG\WP\980165me.RCM

CASE BACKGROUND

On April 20, 1998, the Commission issued Order No. PSC-98-0549-SC-TI, requiring Amer-I-Net Services Corp. (Ameri-I-Net) to show cause in writing within 20 days of the issuance of the Order why it should not be fined or have its certificate canceled for apparent violations of Rule 25-4.118, Florida Administrative Code, and Rule 25-4.043, Florida Administrative Code.

On April 30, 1998, Amer-I-Net filed a Motion for Extension of Time to respond to Order No. PSC-98-0549-SC-TI. Therein, Amer-I-Net asks that it be allowed additional time to respond within 60 days of the issuance of the Order.

DOCUMENT NUMBER-DATE

05150 MAY-78

FPSC-RECORDS/REPORTING

DOCKET NO. 980165-TI
DATE: MAY 7, 1998

This is staff's recommendation on Amer-I-Net's request.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant Amer-I-Net's Motion for Extension of Time to respond to Order No. PSC-98-0549-SC-TI?

RECOMMENDATION: Yes. The Commission should allow Amer-I-Net to respond to the Order by June 19, 1998.

STAFF ANALYSIS: In its request, Amer-I-Net states that it needs additional time to respond to the Order to Show Cause due to the volume of complaints. Amer-I-Net asserts that it will require the additional time in order to assemble the necessary documentation in order for it to provide a proper response to the Commission's Order. In addition, Amer-I-Net states that it also seeks this additional time so that it may try to determine if a settlement of this Docket may be reached. Therefore, Amer-I-Net asks that the Commission grant its request for an extension and allow it to respond by June 19, 1998.

Order No. PSC-98-0549-SC-TI indicates that the Commission has received 426 complaints regarding Amer-I-Net. Staff agrees that the number of complaints against Amer-I-Net will likely make it necessary for Amer-I-Net to spend a substantial amount of time reviewing and analyzing the complaints prior to formulating its response. Amer-I-Net has also indicated that it would use this additional time to allow it to seek a resolution of this Docket before it must file its response to the show cause order. Staff believes that Amer-I-Net's request is appropriate in view of the company's desire to thoroughly review the complaints before responding, and due to Amer-I-Net's apparent intent to seek a resolution to this Docket. Staff, therefore, recommends that Amer-I-Net's Motion for Extension of Time be granted. Amer-I-Net should be required to respond to the Commission's Order to Show Cause, Order No. PSC-98-0549-SC-TI, by June 19, 1998.

DOCKET NO. 980165-TI
DATE: MAY 7, 1998

ISSUE 2: Should this Docket be closed?

RECOMMENDATION: No. This Docket should remain open pending the outcome of the show cause proceeding.

STAFF ANALYSIS: This Docket should remain open pending the outcome of the show cause proceeding.