

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 5002
issued to Penn Boys Legend
Telecom, Inc. for violation of
Rule 25-24.043, F.A.C., Response
to Commission Staff Inquiries,
and Rule 25-24.520, F.A.C.,
Reporting Requirements.

DOCKET NO. 980707-TC
ORDER NO. PSC-98-1544-AS-TC
ISSUED: November 20, 1998

The following Commissioners participated in the disposition of
this matter:

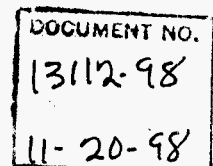
JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

ORDER APPROVING SETTLEMENT

On December 25, 1996, this Commission granted Penn Boys Legend
Telecom, Inc. (Penn Boys) pay telephone certificate number 5002.
By Proposed Agency Action Order No. PSC-98-0904-FOF-TC, issued
July 7, 1998, we ordered Penn Boys to pay fines and penalties of
\$10,500 for alleged rule violations or have its certificate
canceled. On July 27, 1998, Penn Boys filed a timely protest and
requested a hearing.

On August 24, 1998, Penn Boys submitted an offer of settlement
which is attached and incorporated herein as Attachment A. The
offer states as follows:

- (1) Penn Boys has settled the customer complaint which
precipitated our discovery of possible rule violations.
- (2) Penn Boys has been reinstated, through the Florida
Department of State, as a Florida corporation.
- (3) Penn Boys has provided this Commission with a current
address and phone number.



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- (4) Penn Boys will make a \$2,500 contribution to the General Revenue Fund of the State of Florida in 12 monthly installments, with no admission of wrongdoing or liability.

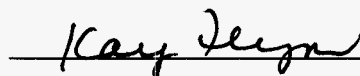
We accept Penn Boys' offer of settlement. Penn Boys has been cooperative in resolving the initial complaint and all alleged violations. Therefore, we find the settlement amount of \$2,500 to be fair and reasonable. Accordingly, the offer of settlement by Penn Boys dated August 24, 1998, is approved.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the August 24, 1998, offer of settlement by Penn Boys Legend Telecom, Inc., is hereby approved. It is further

ORDERED that Penn Boys Legend Telecom, Inc., shall remit \$2,500 in twelve equal monthly installments beginning within five days of this Order becoming final. Upon remittance, all payments shall be forwarded to the Office of the Comptroller for deposit in the General Revenue Fund of the State of Florida, pursuant to Section 364.285(1), Florida Statutes. Upon full remittance, this docket may be closed administratively.

By ORDER of the Florida Public Service Commission this 20th day of November, 1998.



KAY FLYNN, Chief
Bureau of Records

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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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/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 after the issuance 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.

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ATTACHMENT A

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August 24, 1998

Mr. Louis Yambor
Florida Public Service Commission
Gunter Building, 2540 Shumard Oak Boulevard
Capital Circle Office Center
Tallahassee, Florida 32399-0866

Re: Penn Boys Legend Telecom, Inc.
Certificate #5002

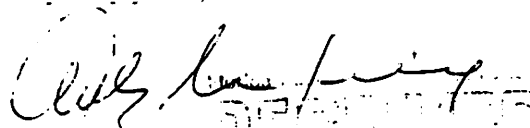
Dear Mr. Yambor:

It was very pleasant meeting you, Cathy Bedell and Rick (I feel silly but I didn't get his card or write down his last name. I apologize). Thank you for listening to me and my client explain the circumstances which brought upon the problem which we were attempting to resolve, with your assistance. I believe my client understands better the regulatory processes and trust that you will not, in the future have any problems. However, since I am attempting to assist my client in his business start-up problems, please feel free to contact me to discuss anything which you might want to discuss with my client.

My client has accepted the offer to compromise the outstanding fines as set forth in Order No. PSC-98-0904-FOF-TC, which Order has been appealed, by payment to the PSC of the sum of \$2,500. This sum will be paid in 12 equal monthly installments, beginning with the first day of the month subsequent to the adoption of this settlement by the Commission. I understand that this matter will be placed on the October meeting agenda. If approved, the first payment would become due on November 1st.

Once again, I thank all of you for your courtesies, professionalism and understanding of the problems facing a small minority businessman.

Very truly yours,



ALAN E. GREENFIELD 1998

cc: Catherine Bedell, Esq.
Mr. Norris Shortridge