

State of Florida

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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-

DATE: JANUARY 7, 1999

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

FROM: DIVISION OF COMMUNICATIONS (ISLER) *AJ*
DIVISION OF LEGAL SERVICES (K. PEÑA) *KMP/MS*

RE: DOCKET NO. 981188-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 3775 ISSUED TO LISA KARAVOKIRIS, FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

AGENDA: 01/19/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\981188.RCM

CASE BACKGROUND

Lisa Karavokiris obtained Florida Public Service Commission Pay Telephone Certificate Number 3775 on June 10, 1994.

The Division of Administration mailed the 1997 regulatory assessment fee (RAF) notice by certified mail. Staff received the return receipt from the United States Postal Service (USPS) which showed that the RAF notice was signed for and delivered on December 13, 1997.

The Division of Administration advised staff by memorandum that this company had not paid its 1997 RAF, plus statutory penalties and interest for the year 1997.

DOCUMENT NUMBER - DATE

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FPSC-RECORDS/REPORTING

After the docket was opened, Mr. Dimitris Karavokiris called staff and stated that he and his wife wanted to keep their certificate, would pay all past due charges, and make a settlement offer. The company has since paid the 1997 RAFs plus statutory penalties and interest charges and made a settlement offer to pay a \$100 contribution. (ATTACHMENT A) Although the company's letter did not state that it would pay future regulatory assessment fees by January 30 of each year, staff was verbally told by Mr. Karavokiris that the fees would be paid in a timely manner in the future. Therefore, staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission accept the settlement offer proposed by Lisa Karavokiris to resolve the apparent violations of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should accept the company's settlement offer. Any contribution should be paid by the company within five business days from the effective date of the Commission Order. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. (Isler)

STAFF ANALYSIS: Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

The Division of Administration notified staff by memorandum that Lisa Karavokiris had not submitted the regulatory assessment fees for 1997, along with statutory penalties and interest charges for the year 1997.

After staff opened this docket but prior to filing the recommendation, the company paid the regulatory assessment fees for 1997, plus the statutory penalties and interest charges. The company contacted staff and advised that it wanted to keep its certificate and would make a settlement offer, including its

promise to pay future regulatory assessment fees by January 30 of each year. The company's correspondence was received December 1, 1998, and offered to make a \$100 contribution to the State General Revenue Fund. (ATTACHMENT A) Although the company's proposal omitted the statement that regulatory assessment fees would be paid timely in the future, Mr. Karavokiris verbally agreed to it and staff believes it should be so stated in the Order, if this recommendation is approved.

Accordingly, staff believes the terms of the settlement agreement as summarized in this recommendation should be accepted. Any contribution should be paid by the company within five business days from the effective date of the Commission Order. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1 and upon remittance of the \$100 contribution, this docket should be closed. (Peña)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, and upon remittance of the \$100 contribution, this docket should be closed. The contribution should be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Chapter 364.285(1), Florida Statutes.

November 27, 1998

981188-TC

Lisa Karavokiris
3109 N. E. 58th Street
Fort Lauderdale, Florida 33308-2823

Re: D K Vend TF124

Dear Miss Isler,

This letter is to follow up on our conversation of November 24, 1998. I am responsible for delaying the Telephone Service Provider Regulatory Assessment fee return.

I would ask you to kindly take into consideration that this is the first time I have been late paying this fee. I would also ask you to please accept a \$100.00 fine instead of the usual \$500.00 associated with this rule violation.

I regret any inconvenience this delay may have caused you.

Yours truly
Dimitri Karavokiris

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