

NATIONWIDE COMMUNICATIONS INC.

69642

Inv # Inv. Date

FLORIDA PUBLIC SERVICE COMM Reference

Feb 12 99 Inv.Amt.

971317-TP

DEPOSIT DATE
D089 FEB 18 1999

Settlement

RAR
Kathy Bieganski

2,750.00

NATIONWIDE COMMUNICATIONS INC.
2333 COMMERCIAL DR.
AUBURN HILLS, MI 48326-2408
(248) 836-6600

OLD KENT BANK
GRAND RAPIDS, MI

69642

74-1329/724

CHECK NO.

069642

DATE

AMOUNT

Feb 12 99

\$2,750.00

***** Two Thousand Seven Hundred Fifty and 00/100 *****

PAY TO THE ORDER OF

FLORIDA PUBLIC SERVICE COMM
2540 SHUMARD OAK BLVD
TALLAHASSEE, FL 32399-0850

AUTHORIZED SIGNATURE

Security features. Details on back.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU 1
- CTR _____
- EAG _____
- LEG 1
- LIN _____
- OPD _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE

01702 FEB 18 99

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Nationwide Communications of Michigan, Inc. for apparent violation of Rule 25-24.630, F.A.C., Rate and Billing Requirements, Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries, and Rule 25-4.0161, F.A.C., Regulatory Assessment Fees.

DOCKET NO. 971317-TP
ORDER NO. PSC-98-1651-AS-TP
ISSUED: December 8, 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

Nationwide Communications of Michigan, Inc. (Nationwide), is an interexchange carrier and provides long distance services under Certificate No. 3950. By Order No. PSC-98-0121-PCO-TP, issued January 22, 1998, this Commission ordered Nationwide to show cause in writing why it should not be fined for its apparent violations of Rules 25-4.0161, 25-4.630, and 25-4.043, Florida Administrative Code. Nationwide responded to the show cause and stated that overcharge problems were due to a virus in its computer system which corrupted the rate table data base. That the problem has been corrected. On July 29, 1998, Nationwide provided additional information, estimating the amount of overcharges from January, 1996, to December, 1997, to be \$5,863.17.

On November 4, 1998, Nationwide submitted its offer to settle, which is attached and incorporated herein as Attachment A. The offer states as follows:

1. Nationwide will refund customers the aggregate sum of \$6,768.98, representing \$5,863.17 of overcharges, plus \$905.81

of interest, through credits issued during the period of December 1, 1998, through February 28, 1999.

2. Nationwide will provide a monthly refund report to the Commission during the refund period.
3. Nationwide will forward all amounts remaining unrefunded to the Commission for deposit in the General Revenue Fund by June 1, 1999.
4. Nationwide will make a voluntary contribution in the amount of \$2,750 to the General Revenue Fund of the State of Florida within five days of this Order becoming final.

We accept Nationwide's offer of settlement. Nationwide has been cooperative in resolving all issues. Therefore, we find the settlement agreement as summarized above to be fair and reasonable, and we support the voluntary contribution to the General Revenue Fund pursuant to Section 364.285(1), Florida Statutes, in the amount of \$2,750. This docket shall remain open pending completion of refunds.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the November 4, 1998, offer of settlement by Nationwide Communications of Michigan, Inc., is hereby approved. It is further

ORDERED that Nationwide Communications of Michigan, Inc., shall refund customers the aggregate sum of \$6,768.98, representing overcharges plus interest, through credits issued during the period of December 1, 1998, through February 28, 1999. It is further

ORDERED that Nationwide Communications of Michigan, Inc., shall provide a monthly refund report to the Commission during the refund period described above. It is further

ORDERED that Nationwide Communications of Michigan, Inc., shall forward all amounts remaining unrefunded to the Commission for deposit in the General Revenue Fund by June 1, 1999, and shall make a voluntary contribution in the amount of \$2,750 to the General Revenue Fund of the State of Florida within five days of this Order becoming final. It is further

ORDER NO. PSC-98-1651-AS-TP
DOCKET NO. 971317-TP
PAGE 3

ORDERED that this docket shall remain open pending completion of refunds.

By ORDER of the Florida Public Service Commission this 8th day of December, 1998.

/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 1-850-413-6770.

(S E A L)

SOME (OR ALL) ATTACHMENT PAGES ARE NOT ON ELECTRONIC DOCUMENT.

CB

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.

From: Evelyn Sewell CONFIRMED
To: Kelly Biegalski
Subject:
fwd: NATIONWIDE COMMUNICATIONS,
INC.

===NOTE=====2/15/99==1:34pm==
CC: Karen Belcher, Pat Page

.....
Fiscal received today check number 69642
from subject utility in the amount of
\$2,750. The envelope was addressed to
you, so I assume you can tell us what it
is for. There was no ref on the document
as to its purpose.

Fwd=by:=Kelly=Biegals=2/15/99==1:37pm==
Fwd to: Evelyn Sewell

.....
It is a settlement payment as resolution
to Docket No. 971317-TP.

Fwd=by:=Evelyn=Sewell=2/15/99==1:45pm==
Fwd to: Kelly Biegalski

.....
Is it a fine?

Fwd=by:=Kelly=Biegals=2/15/99==1:45pm==
Fwd to: Evelyn Sewell

.....
No. It is a settlement.

Fwd=by:=Evelyn=Sewell=2/15/99==1:47pm==
Fwd to: Kelly Biegalski

.....
Settlement for what? Are we to dedposit
it in General Revenue or the Trust fund?

Fwd=by:=Kelly=Biegals=2/15/99==1:51pm==
Fwd to: Evelyn Sewell

.....
general revenue fund

Fwd=by:=Evelyn=Sewell=2/15/99==3:53pm==
Fwd to: Kelly Biegalski

CC:
Karen Belcher, Pat Page, Valorie
Moore

.....
Thanks Kelly.
