

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide interexchange telecommunications service by Vendormatic, Inc. d/b/a HSS Vending Distributors, and initiation of show cause proceedings for violation of Rule 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required.

DOCKET NO. 961309-TI  
ORDER NO. PSC-99-0704-PCO-TI  
ISSUED: April 13, 1999

REVISED ORDER ESTABLISHING PROCEDURE

By Order No. PSC-97-0937-FOF-TI, issued August 5, 1997, we ordered Vendormatic, Inc., d/b/a HSS Vending Distributors (HSS), to show cause why it should not be fined in the amount of \$25,000 for violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required. On August 26, 1997, HSS filed a Response to Order to Show Cause (response). In the response, HSS requested that the proposed fine not be assessed and that a formal hearing be initiated before any such assessment. On the same date, HSS filed a Petition for Formal Proceeding (petition) pursuant to Section 120.57, Florida Statutes. By Order No. PSC-99-0125-PCO-TI, issued January 22, 1999, and Amendatory Order No. PSC-99-0125A-PCO-TI, issued March 2, 1999, we denied HSS's settlement offer and reset this matter for hearing. The procedure for this Docket was established by Order No. PSC 99-0443-PCO-TI, issued March 4, 1999.

It is necessary to change the hearing date for this proceeding. Therefore, the Controlling Dates set forth in Order No. PSC-99-0443-PCO-TP at page 6 are revised, as set forth below:

Controlling Dates

The following dates have been established to govern the key activities of this case.

DOCUMENT NUMBER-DATE

04697 APR 13 99

FPSC-RECORDS/REPORTING

- |  |                   |
|--|-------------------|
| 1) Staff's direct testimony and exhibits   | May 19, 1999      |
| 2) Utility's direct testimony and exhibits | June 2, 1999      |
| 3) Rebuttal testimony and exhibits         | June 23, 1999     |
| 4) Prehearing Statements                   | July 1, 1999      |
| 5) Prehearing Conference                   | July 15, 1999     |
| 6) Hearing                                 | August 12, 1999   |
| 7) Briefs                                  | September 2, 1999 |

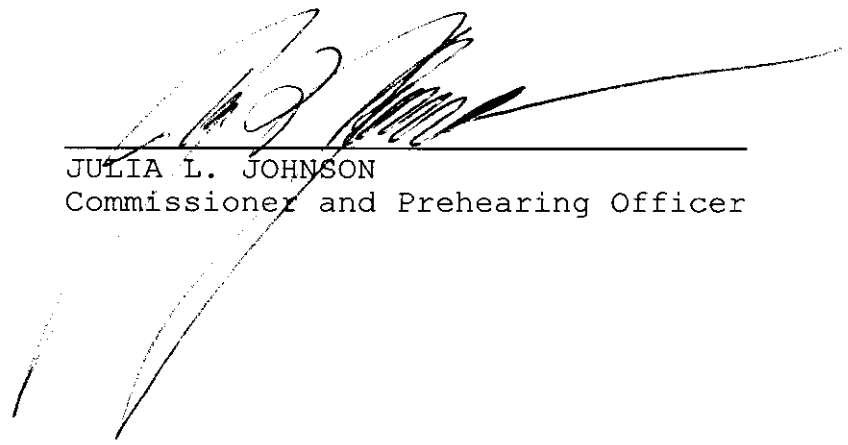
This Order is issued pursuant to the authority granted by Rule 28-106.211, Florida Administrative Code.

Based on the foregoing, it is therefore

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that Order No. PSC-99-0443-PCO-TI is revised as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-99-0443-PCO-TI is reaffirmed in all other respects.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 13th Day of April, 1999.



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JULIA L. JOHNSON  
Commissioner and Prehearing Officer

( S E A L )

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.