



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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93 JUN 17 AM 10:14
RECORDS AND REPORTING

DATE: JUNE 17, 1999

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

FROM: DIVISION OF LEGAL SERVICES (J. MILLER) *Jam CB*
DIVISION OF COMMUNICATIONS (KENNEDY) *RK JD*

RE: DOCKET NO. 990629-TC - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST RELIABLE TELEPHONE COMPANY FOR VIOLATION OF RULE 25-24.515, FLORIDA ADMINISTRATIVE CODE, PAY TELEPHONE SERVICE

AGENDA: 06/29/99 - REGULAR AGENDA - SHOW CAUSE - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\990629.RCM

CASE BACKGROUND

- January 25, 1999 -Reliable Telephone Company's 1998 regulatory assessment fee return reported gross intrastate revenues of \$88,173 and 95 pay telephones in operation.
- February 18, 1999 - Staff performed routine service evaluations of two pay telephone stations and found apparent violations as presented in Attachment A (Page 4).
- March 22, 1999 - Staff received a Service Violation Correction Form from Reliable Telephone Company signifying that all apparent violations were corrected.
- April 21, 1999 - Staff reevaluated the two pay telephone stations and again found the same violations as presented in Attachment A.

DOCUMENT NUMBER-DATE

07337 JUN 17 93

FPSC-RECORDS/REPORTING

- May 17, 1999 - Staff opened this docket to investigate whether Reliable Telephone Company should be required to show cause why it should not be fined or have its certificate canceled.
- May 26, 1999 - Reliable Telephone Company submitted an offer to settle this case. (Attachment B, Page 5)

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission accept the settlement offer proposed by Reliable Telephone Company (RTC) to resolve the apparent violations of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within ten business days from the issuance date of the Commission Order and should identify the docket number and company name. 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. (Kennedy)

STAFF ANALYSIS: Staff performed service evaluations of pay telephone stations on February 18, 1999. Through written correspondence, staff notified RTC of the apparent violations.

Staff performed a reevaluation of the same pay telephone stations on April 21, 1999. Although RTC reported that all violations had been corrected, the table provided as Attachment A (page 4) depicts the apparent rule violations that were repeats of violations observed during the initial evaluations.

Based on the showings of the reevaluations that the pay telephone stations exhibited the same apparent violations, staff opened this docket to investigate whether RTC should be required to show cause why it should not be fined \$300 or have its certificate canceled, pursuant to Section 364.285, Florida Statutes.

On May 25, 1999, RTC contacted staff to discuss the method for settlement of this case. On May 26, 1999, RTC submitted its offer to settle provided as Attachment B, (Page 5). In its settlement offer, RTC agreed to do the following:

- RTC will voluntarily pay \$300 to the General Revenue Fund.

- RTC will conduct a thorough inspection of all its pay telephones to ensure compliance with Commission rules.
- RTC will cooperate with the Public Service Commission staff in a more timely fashion.

Staff supports RTC's offer to conduct a thorough inspection of all its pay telephones to ensure compliance with Commission rules. By initiating this action RTC has created a proactive approach to compliance rather than a reactive response to staff's inquiries.

Moreover, the company has been forthright in its assertion that the cited violations were valid and has been very cooperative in resolving all issues. Any contribution should be received by the Commission within ten business days from the issuance date of the Commission Order and should identify the docket number and company name. 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. Staff believes the terms of the settlement agreement as summarized in this recommendation are fair and reasonable, and we support the voluntary contribution to the General Revenue Fund.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. With the approval of Issue 1, this docket should remain open pending the remittance of the \$300 voluntary contribution. Upon remittance of the settlement payment, this docket should be closed. If the company fails to pay in accordance with the terms of the settlement offer, the monetary settlement will be forwarded to the Comptroller's office for collection, and this docket will be closed. (J. Miller)

STAFF ANALYSIS: This docket should remain open pending the remittance of the \$300 voluntary contribution. Upon remittance of the settlement payment, this docket should be closed. If the company fails to pay in accordance with the terms of its settlement offer, the monetary settlement will be forwarded to the Comptroller's office for collection, and this docket closed.

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ATTACHMENT A

Pay Telephone Station Number	Rule 25-24.515(9)(a), Florida Administrative Code	Rule 25-24.515(13)(a), Florida Administrative Code
	Location Address Not Displayed	Incoming Call Could Not Be Received (Bell Not Heard)
407-420-9045	X	
407-420-9559	X	X

RTC

Reliable Telephone Co.

RECEIVED
PUBLIC SERVICE COMMISSION
99 MAY 28 AM 8:15
MAIL ROOM

Public Service Commission
Mr. Ray Kennedy
2540 Shumard Oak Blvd.
Tallahassee, Fl. 32399-0850

Dear Mr. Kennedy,

After speaking with you today in reference to opening a docket number for our violations against 4074209045, and 4074209559. I would like to apologize for what may have seemed as an untimely response to these problems.

In all honesty what happened is, I trusted an employee to do his job when these violations were given to him to correct. We were told that the violations were taken care of, this proved to be incorrect. I made a visit to this location last week and observed that the labels on these two pay phones had indeed not been replaced as I was told, and immediately replaced them. I also checked the ringer on 4074209559, you can hear it, but it is faint. I replaced the computer board in the phone and it now has a louder ring.

I understand, and deserve to get "dinged" on these violations, especially when a response was sent back with a reply that the problem had been corrected, (twice). We offer to pay the \$300 fine as a settlement and perform payphone checks as further described in this letter. By no means are we trying to "get by" with anything, our company is committed to quality service to our customers, of which the PSC is. This employee has been given a copy of the latest regulations, and strict instructions to follow them. I will also be doing a thorough inspection of all of my locations. I again apologize for our total lack of cooperation in a timely fashion, and want to assure the PSC that this will not happen again.

Also, one of your representatives was at a couple of our hotel locations and called our office doing a test call yesterday. He told me both hotels did not display numeric addresses, and one phone did not except dimes. As of 2:00pm today, a new coinco device has been installed, which will accept all coins, and numeric addresses have been correctly posted on all phones. These numbers were 4073871008, 4073871009(problem with dimes), 4073872008, 4073872009, 4073872010, 4073872011, and 4073872012. When your department sends out the violation letter for these, we will again respond in an expeditious manner. I just wanted to let you know in advance that it has already been corrected.

Please be assured that my company will perform in a more professional manner in the future.

Sincerely,



Randy Newton



*Original copy also sent by USPS

10151 University Blvd. Suite 239
Orlando, Fl. 32817
1-888-823-5870 FAX 407-677-0656