

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

FILED: JUNE 21, 1999

STAFF'S PREHEARING STATEMENT

Pursuant to the schedule established in this Docket, the Staff of the Florida Public Service Commission files its Prehearing Statement.

A. All Known Witnesses: Thomas E. Williams, III - Issue 1

B. All Known Exhibits:

- TEW-1 - Application Form
- TEW-2 - Memo Dated January 24, 1997, Regarding Complaints
- TEW-3 - Letter Dated February 19, 1997, to Mr. Hersperger
- TEW-4 - Letter Dated March 4, 1997, from James Stinson
- TEW-5 - Staff's July 2, 1997, Recommendation
- TEW-6 - Letter Dated August 25, 1997, From Stephen Jurman, Esquire, and Attached Response to Order to Show Cause

C. Staff's Statement of Basic Position:

Vendormatic, Inc. was apparently operating in Florida without a certificate of public convenience and necessity in violation of Rule 25-24.470, Florida Administrative Code. Therefore, the company should be fined \$25,000. The Commission should also deny the company's Certificate No. 4801, which was held in abeyance pending the outcome

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS 3 _____
- OPC _____
- RRR _____
- SEC 1 _____
- WAW _____
- OTH _____

DOCUMENT NUMBER-DATE

~~0-7458~~ JUN 21 99

FPSC-RECORDS/REPORTING

ORDER NO.
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of this show cause proceeding in accordance with Order No. PSC-97-0937-FOF-TI, issued August 5, 1997.

D. Staff's Position on the Issue:

ISSUE 1: Should VENDORMATIC, INC. d/b/a HSS VENDING DISTRIBUTORS (HSS) be fined \$25,000, pursuant to Section 364.285, Florida Statutes, for apparent violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required?

STAFF: Yes. Vendormatic, Inc. was apparently operating in Florida without a certificate of public convenience and necessity in violation of Rule 25-24.470, Florida Administrative Code. Therefore, the company should be fined \$25,000. The Commission should also deny the company's Certificate No. 4801, which was held in abeyance pending the outcome of this show cause proceeding in accordance with Order No. PSC-97-0937-FOF-TI, issued August 5, 1997. (WILLIAMS)

E. Stipulation

Staff is not aware of any issues that have been stipulated at this time.

F. Pending Motions:

Staff has no pending motions at this time.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's
Prehearing Statement has been furnished by U.S. Mail this 21st day
of June, 1999, to the following:

HSS Vending Distributors
Mr. Richard G. Hersperger, Pres.
1400 Lee Drive
Coraopolis, PA 15108

Respectfully submitted,



BETH KEATING
Staff Counsel

FLORIDA PUBLIC SERVICE COMMISSION
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