

ORIGINAL

DEPOSIT

DATE

D163

JUL 06 1999

RTC

Reliable Telephone Co.

FPSC  
Division of Records and Reporting  
2540 Shumard Oak Blvd.  
Tallahassee, Fl. 32399-0850

Dear Sir or Madam:

After speaking to Ray Kennedy on 6-29-99, we were informed of the decision of the board of commissioners. Enclosed is the settlement offer for Docket # 990629-TC in the amount of \$300.00.

If there are any questions please do not hesitate to call us.

- AFK \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU I \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG I \_\_\_\_\_
- MAS \_\_\_\_\_
- OPC \_\_\_\_\_
- RRR \_\_\_\_\_
- SEC I \_\_\_\_\_
- SMW \_\_\_\_\_
- JTH \_\_\_\_\_

Regards,

*Randy Newton*  
Randy Newton

RELIABLE TELEPHONE COMPANY  
PH. 407-293-7312  
10151 UNIVERSITY BLVD., STE. 239  
ORLANDO, FL 32817

63-666/632  
6702005454

2589

DATE 6-30-99

PAY TO THE ORDER OF

FPSC

\$300.00/xx

Three hundred dollars & 00/100

DOLLARS 

**Regions Bank**  
Longwood, Florida

MEMO DOCKET # 990629-TC

*Randy Newton*

*RAR*  
*Ray Kennedy*

DOCUMENT NUMBER-DATE  
**08067 JUL-69**  
FPSC-RECORDS/REPORTING

DEPOSIT

DATE

D168

JUL 06 1999

RTC

**Reliable Telephone Co.**

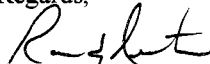
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Randy Newton

RAR  
Ray Kennedy

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



## 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-

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**DATE:** JUNE 17, 1999

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

**FROM:** DIVISION OF LEGAL SERVICES (J. MILLER)  
DIVISION OF COMMUNICATIONS (KENNEDY)

**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

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#### 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.

- 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.

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

From: Pat Page  
To: Ray Kennedy  
Subject: fwd: Check

====NOTE=====7/06/99=12:08pm==

I have received a check from Reliable Telephone Co. for \$300, Docket #990629. I see that there is no order yet. Let me know when it is OK to deposit this check.

Fwd=by:=Ray=Kennedy===7/06/99=12:12pm==  
Fwd to: Pat Page  
CC: Catherine Bedell, John Miller

.....  
I will inform you as soon as the order is issued. This person was anxious to pay and resolve this issue.

Fwd=by:=John=Miller===7/06/99=12:31pm==  
Fwd to: Ray Kennedy  
CC: Catherine Bedell

.....  
Ray,  
The Order has already been drafted (early), and is in the usual process of routing. Since the Commissioners have already voted to approve this \$300 settlement offer (at the June 29th Agenda), it should be okay to have the check deposited now.

Fwd=by:=Ray=Kennedy===7/06/99=12:32pm==  
Fwd to: Pat Page  
CC: John Miller

.....  
Pat,  
It is ok to deposit the check now. Thank you for letting me know he paid.

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