Case Assignment and Schedulling Record

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Case Assignment and Schedulling Record

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PSC/RAR-15 (Rev. 1/98)

* COMPLETED EVENTS

Printed by Pat Page 8/02/99 9:14am

From: Pat Page

To: Elaine Johnson Subject: fwd: Check

Is it OK to deposit a check for \$200 from Fone Connection, Docket #990755? There is no Order yet, but I did see that it has

been voted on.

Fwd=by:=Elaine=Johnso=8/03/99==9:12am==

Fwd to: Pat Page

Yes thank you

Yes, thank you.



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-

DATE:

JULY 15, 1999

TO:

DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYÓ)

FROM:

DIVISION OF LEGAL SERVICES (D.CLEMONS) DIVISION OF COMMUNICATIONS (T.E.JOHNSON)

RE:

DOCKET NO. 990755-TC -INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST THE FONE CONNECTION OF TAMPA BAY, INC. APPARENT VIOLATION OF RULE 25-24.515, FLORIDA

ADMINISTRATIVE CODE, PAY TELEPHONE SERVICE

AGENDA: 07/27/99 - REGULAR AGENDA - SHOW CAUSE - INTERESTED

PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\990755.RCM

CASE BACKGROUND

- March 30, 1999 The Fone Connection of Tampa Bay, Inc.'s 1998 regulatory assessment fee return reported gross intrastate revenues of \$1,275,399 and 1350 pay telephones in operation.
- February 17, 1999 Staff performed routine service evaluations of pay telephone stations and found apparent violations as presented in Attachment A (Page 4).
- March 8, 1999 Staff received a Service Violation Correction Form from The Fone Connection of Tampa Bay, Inc. signifying that all apparent violations were corrected.
- April 21, 1999 Staff reevaluated the pay telephone stations and again found the same violations as presented in Attachment Α.
- June 14, 1999 Staff opened this docket to investigate whether The Fone Connection of Tampa Bay, Inc. should be

DOCKET NO. 990755-TC DATE: JULY 15, 1999

required to show cause why it should not be fined or have its certificate canceled.

• July 6, 1999 - The Fone Connection of Tampa Bay, Inc. submitted an offer to settle this case. (Attachment B, Page 5)

DISCUSSION OF ISSUES

<u>ISSUE 1</u>: Should the Commission accept the settlement offer proposed by The Fone Connection of Tampa Bay, Inc. (Fone Connection) 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. (T.E.JOHNSON)

<u>STAFF ANALYSIS</u>: Staff performed service evaluations of pay telephone stations on February 17, 1999. Through written correspondence, staff notified Fone Connection of the apparent violations.

Staff performed a reevaluation of the same pay telephone stations on April 21, 1999. Although Fone Connection 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 Fone Connection should be required to show cause why it should not be fined \$200 or have its certificate canceled, pursuant to Section 364.285, Florida Statutes.

On June 30, 1999, Fone Connection contacted staff to discuss the method for settlement of this case. On July 6, 1999, Fone Connection submitted its offer to settle provided as Attachment B, (Page 5). In its settlement offer, Fone Connection agreed to do the following:

DOCKET NO. 990755 TO DATE: JULY 15, 1999

- Fone Connection will voluntarily pay \$200 to the General Revenue Fund.
- Fone Connection will monitor its pay telephones and conduct monthly quality control checks.
- Fone Connection contracted with a different operator services company.

Staff supports Fone Connection's monitoring of its pay telephones through monthly quality control checks. By performing monthly quality control checks, Fone Connection demonstrates its willingness to meet the objectives of the Commission's rules.

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 \$200 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. (D.CLEMONS)

STAFF ANALYSIS: This docket should remain open pending the remittance of the \$200 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.

DOCKET NO. 990755-TC DATE: JULY 15, 1999

Pay Telephone	Rule 25-24.515(8), Florida Administrative Code
Station Number	Direct Coin Free Number For Repairs/Refunds Does Not Work Properly
407-894-8277	х
407-894-8300	x