

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 990755-TC Date Docketed: 06/14/1999 Title: Initiation of show cause proceedings against The Fine Connection of Tampa Bay, Inc. (for apparent violation of Rule 26-24.515, F.A.C.C. P.A. 1998)
 Company: The Fine Connection of Tampa Bay, Inc.

DEPOSIT **DATE**
D181 **AUG 03 1999** **99 AUG -1 PM 2:22**

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

MAIL ROOM

Referred to: ADM AFA APP CAF CMJ EAG GCL (LEG) RAR RRR WAW
 ("0" indicates OPR)

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B8 (b)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current OPR revision level

Staff Assignments

OPR Staff	Staff Assignments
D Clemens	_____
_____	_____
_____	_____
Staff Counsel	D Clemens
OCRs (CMJ)	E Johnson
()	_____
()	_____
()	_____
()	_____

1	Due Dates	
	Previous	Current
1. Staff Recommendation	06/24/1999	07/15/1999
2. Agenda - Regular	07/16/1999	07/27/1999
3. Show Cause Order	07/26/1999	08/16/1999
4. Close Docket	08/26/1999	09/16/1999
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 06/24/1999

Initials: OPR _____
 Staff Counsel _____

RAR
E. Johnson

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
AL	GR	DS	CL	JN	JC		
X							

- Prehearing Officer

Commissioners					ADM
GR	DS	CL	JN	JC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: Pending

From: Pat Page
To: Elaine Johnson
Subject: fwd: Check

===NOTE=====8/03/99==8:32am==

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.



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.
FOR 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 A.
- June 14, 1999 - Staff opened this docket to investigate whether The Fone Connection of Tampa Bay, Inc. should be

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

ISSUE 1: 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)

STAFF ANALYSIS: 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:

- 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

ATTACHMENT A

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