

State of Florida

# 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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51 AUG - 5 AM 10:12  
RECORDS AND REPORTING

**DATE:** AUGUST 5, 1999

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

**FROM:** DIVISION OF LEGAL SERVICES (W.COX) *WPC UB*  
DIVISION OF COMMUNICATIONS (T.E.JOHNSON) *TEJ*

**RE:** DOCKET NO.990762-TC - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST COIN-TEL, INC. FOR APPARENT VIOLATION OF RULE 25-24.515, F.A.C., CODE, PAY TELEPHONE SERVICE

**AGENDA:** 08/17/99 - REGULAR AGENDA - SHOW CAUSE - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMU\WP\990762.RCM

### CASE BACKGROUND

- January 19, 1999 - Coin-Tel, Inc.'s 1998 regulatory assessment fee return reported gross intrastate revenues of \$2,099,878.15 and 7725 pay telephones in operation.
- February 17, 1999 - Staff performed routine service evaluations on pay telephone stations operated by Coin-Tel, Inc. and found the apparent violation as presented in Attachment A (Page 4).
- March 23, 1999 - Staff received a Service Violation Correction Form from Coin-Tel, Inc. signifying that the apparent violation was corrected.

DOCUMENT NUMBER-DATE  
09302 AUG-5 99  
FPSC-RECORDS/REPORTING

DATE: AUGUST 5, 1999

- April 22, 1999 - Staff reevaluated the pay telephone station and found the same apparent violation as presented in Attachment A.
- June 14, 1999 - Staff opened this docket to investigate whether Coin-Tel, Inc. should be required to show cause why it should not be fined or have its certificate canceled.
- July 21, 1999 - Coin-Tel, 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 Coin-Tel, Inc. (Coin-Tel) to resolve the apparent violation 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 a service evaluation of a pay telephone station on February 17, 1999. Through written correspondence, staff notified Coin-Tel of the apparent violation.

Staff performed a reevaluation of the same pay telephone station on April 22, 1999. Although Coin-Tel reported that the violation had been corrected, the table provided as Attachment A depicts the apparent rule violation that was a repeat of a violation observed during the initial evaluation.

Based on the showings of the reevaluation that the pay telephone station exhibited the same apparent violation, staff opened this docket to investigate whether Coin-Tel should be required to show cause why it should not be fined \$100 or have its certificate canceled, pursuant to Section 364.285(1), Florida Statutes.

On July 19, 1999, Coin-Tel contacted staff to discuss the method for settlement of this case. On July 21, 1999, Coin-Tel

submitted its offer to settle provided as Attachment B. In its settlement offer, Coin-Tel agreed to do the following:

- Coin-Tel will voluntarily pay \$100 to the General Revenue Fund.
- Coin-Tel will conduct an investigation of all its pay telephones to ensure they are in compliance with Commission rules.
- In the future, Coin-Tel will contact staff, if unsure about or are unable to duplicate a pay telephone violation.

Staff supports Coin-Tel's offer to investigate all of its pay telephones. By investigating its pay telephones, Coin-Tel demonstrates its willingness to meet the objectives of the Commission's Rules.

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.

**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 \$100 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. (W.COX)

**STAFF ANALYSIS:** This docket should remain open pending the remittance of the \$100 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. 990762-1C  
DATE: AUGUST 5, 1999

ATTACHMENT A

Pay Telephone Station Number	Rule 25-24.515(8), Florida Administrative Code
	Direct Coin Free Number For Repairs and/or Refunds Does Not Work Properly
407-422-9116	X



## Coin - Tel, Inc.

*"The Most Dependable Name in Pay Phones"*

July 20, 1999

Florida Public Service Commission  
Capital Circle Office Center  
2450 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
Attn: Elaine Johnson

Coin-Tel, Inc. is settling in the amount of \$100.00 in regards to the violation of Rule 25-24.515 (8).

Coin-Tel, Inc. will conduct an investigation of all their payphones to ensure that they are in compliance with the Florida Administrative Codes for Pay Telephone Service.

If we are unclear regarding any violations in the future, Coin-Tel, Inc. will contact the Florida Public Service Commission Research Assistant in the Bureau of Service Evaluation to indicate that our technicians could not duplicate the problem and/or get clarification of the violation in question.

At the time of the violation, Coin-Tel, Inc. tested the payphone in question and could not duplicate the problem. We did additional testing on Coin-Tel's other payphones in the area and discovered there existed an intermittent problem with the 211 service.

Upon further investigation, we determined the problem lies with our OSP Cleartel Communications. We reported this to Cleartel who in turn indicated that the problem occurred because they had been understaffed. To alleviate the unanswered 211 phone calls, they have hired additional workers to handle the workload.

Coin-Tel, Inc. has subsequently randomly tested our payphones and found this has resolved the problem.

Should you have additional questions or require other information, please contact me at (813) 886-3007.

Sincerely,

A handwritten signature in cursive script that reads "Maria Albanese".

Maria A. Albanese

Coin-Tel, Inc.