

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Rosann Muller d/b/a Landmark Communications Technologies for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service.

DOCKET NO. 990757-TC  
ORDER NO. PSC-99-1771-AS-TC  
ISSUED: September 9, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JULIA L. JOHNSON  
E. LEON JACOBS, JR.

ORDER APPROVING SETTLEMENT OFFER

BY THE COMMISSION:

We performed service evaluations of pay telephone stations operated by Landmark Communications Technologies (Landmark) on February 18, 1999. Through written correspondence, we notified Landmark of apparent violations. We then performed reevaluations of the same pay telephone stations on April 21 and 22, 1999. Although Landmark reported that all violations had been corrected, apparent violations of Rule 25-24.515(9)(a), Florida Administrative Code, discovered in the first inspection were still present in the reevaluation. Specifically, legible and correct telephone numbers and the correct address of the pay telephone location were not displayed at pay telephone stations numbers 954-728-9108, 954-728-9511, and 954-760-9952.

On July 20, 1999, Landmark contacted our staff to discuss the method for settlement of this case. On July 20, 1999, Landmark submitted its offer to settle which is attached hereto and incorporated herein as Attachment A. In its settlement offer, Landmark agreed to (1) voluntarily pay \$600 to the General Revenue Fund; (2) conduct an investigation of all its pay telephones to

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ensure compliance with Commission rules; and (3) contact our staff, if the company should not fully understand any violations received.

We support Landmark's offer to conduct investigations of its pay telephones to ensure compliance with our rules. By initiating this action, Landmark demonstrates its willingness to meet the objectives of the Commission's rules.

Finally, Landmark has been forthright in its assertion that the cited violations were valid and has been very cooperative in resolving all issues. The \$600 contribution should be received by the Commission within ten business days from the issuance date of this Order and should identify the docket number and company name. We will 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.

Upon consideration, we believe the terms of the settlement agreement are fair and reasonable and have satisfactorily addressed each of our concerns. In addition, we accept the voluntary contribution to the General Revenue Fund. However, if Landmark fails to pay the settlement amount within ten business days of the issuance of this Order, the monetary settlement will be forwarded to the Comptroller's office for collection.

Based on the foregoing, it is

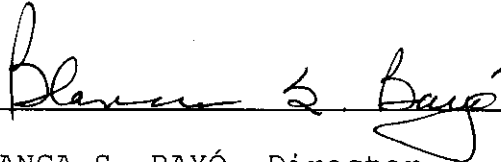
ORDERED by the Florida Public Service Commission that the settlement offer by Landmark Communications Technologies attached to this Order as Attachment A and by reference incorporated herein, is approved. It is further

ORDERED that Landmark Communications Technologies shall remit a \$600 contribution within ten business days from the issuance date of this Order. This settlement total of \$600 will be forwarded by the Commission to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. It is further

ORDERED that upon remittance of the settlement payment, this docket shall be closed. If Landmark Communications Technologies fails to pay the settlement amount within ten business days of the issuance of this Order, the monetary settlement will be forwarded to the Comptroller's office for collection, and this docket closed.

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By ORDER of the Florida Public Service Commission this 9th  
day of September, 1999.



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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

# LANDMARK PAYTELEPHONES

July 20, 1999

Ms. Elaine Johnson  
Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Fla. 32399-0850

Re: Docket# 990757-TC

Dear Ms. Johnson,

We wish to submit an offer of settlement, pursuant to the above captioned docket in the amount of \$600. We agree to conduct an investigation of our payphones in order to make sure we are in compliance. In the event we receive any future notifications of violations, we agree to contact the appropriate staff should we not fully understand the violations described. Thank you.

Sincerely,



Ken Muller  
General Manager

sent via facsimile 850-413-6537  
and regular mail

*A Division of Landmark Communication Technologies*

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