

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Commercial Telephone's, Inc. for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service.

DOCKET NO. 990753-TC
ORDER NO. PSC-99-1772-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 Commercial Telephone's Inc. (Commercial) on February 22, 1999. Through written correspondence, we notified Commercial of the apparent violations. We then performed a reevaluation of the same pay telephone stations on April 18, 1999. Although Commercial reported that all violations had been corrected, an apparent violation of Rule 25-24.515(8), Florida Administrative Code, discovered at the first inspection was still present in the reevaluation. Specifically, the direct coin free number for repairs and refunds did not properly work at pay telephone station number 305-604-9281.

On July 19, 1999, Commercial contacted staff to discuss the method for settlement of this case and request a deferral of its item from the July 27, 1999, Agenda Conference. On July 20, 1999, Commercial submitted its offer to settle which is attached hereto and incorporated herein as Attachment A. In its settlement offer, Commercial agreed to (1) voluntarily pay \$100 to the General Revenue Fund; (2) conduct an investigation of all its pay telephones to ensure compliance with Commission rules; and (3) contact staff before returning Service Violation Correction Forms, if it is unclear about any violations.

DOCUMENT NUMBER-DATE

10850 SEP-99

FPSC-RECORDS/REPORTING

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

Finally, Commercial has been forthright in its assertion that the cited violations were valid and has been very cooperative in resolving all issues. The \$100 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. The Commission 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 Commercial fails to pay the settlement amount within ten business days of the issuance of this Order, the monetary settlement amount will be forwarded to the Comptroller's office for collection.

Based on the foregoing, it is

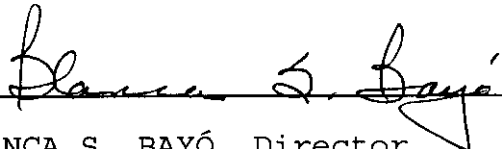
ORDERED by the Florida Public Service Commission that the settlement offer by Commercial Telephone's Inc. attached to this Order as Attachment A and by reference incorporated herein, is approved. It is further

ORDERED that Commercial Telephone's Inc. shall remit a \$100 contribution within ten business days from the issuance date of this Order. This settlement total of \$100 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 Commercial Telephone's Inc. 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.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

DWC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

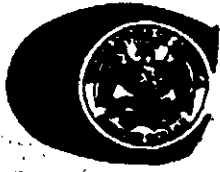
The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. 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.

FROM : COMMERCIAL

PHONE NO. : 3054772950

Jul. 20 1999 03:52PM P1



Commercial Telephones, Inc.

8510 N.W. 56th Street • Miami, Florida 33166
Office: (305) 592-3321 • (800) 242-COIN • Fax: (305) 477-2950

July 20, 1999

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RE: Settlement Letter
Commercial Telephones DOCKET NO. 990753-TC

Dear Elaine Johnson:

We have elected to voluntarily pay the \$100.00 for settlement on an apparent violation of Rule 25-24.515. In addition we will conduct an investigation on all payphones we operate to insure they are in compliance. In the future when receiving violations, if unclear, we will call staff to verify before sending back correction form

Sincerely,


Juan Vilches