

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-

RECEIVED-FPSC  
DEC - 9 AM 10:06  
RECORDS AND REPORTING

**DATE:** DECEMBER 9, 1999

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

**FROM:** DIVISION OF TELECOMMUNICATIONS (ISLER) *Pij*  
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *1/12*

**RE:** DOCKET NO. 990907-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 3097 ISSUED TO JUNGLE VILLAGE, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

**AGENDA:** 12/21/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMU\WP\990907.RCM

### CASE BACKGROUND

- **09/30/92** - This company obtained PATS Certificate No. 3097.
- **12/10/98** - The 1998 Regulatory Assessment Fee (RAF) Notice was mailed. Payment was due 02/01/99.
- **03/17/99** - The Division of Administration mailed a delinquent letter for the 1998 RAF.
- **09/20/99** - Order No. PSC-99-1816-PAA-TC was issued, which imposed a \$500 fine or canceled the company's certificate.
- **09/27/99** - Ms. Kim Smith, representative of Jungle Village, called staff and advised that she had notified the Commission

DOCUMENT NUMBER - DATE

15033 DEC-99

FPSC-RECORDS/REPORTING

DOCKET NO. 990907-TC  
DATE: DECEMBER 9, 1999

in 1998 to cancel the company's certificate. Ms. Smith advised that she would provide a copy of her previous request and pay the outstanding balance in full.

- **10/04/99** - The Commission received a copy of the company's letter dated March 22, 1998 and a copy of ETS Payphones' March 19, 1998 letter.
- **10/11/99** - The Commission received the company's check for the 1998 regulatory assessment fee, including penalty and interest charges.
- **10/22/99** - Staff contacted the company about past due penalty and interest for the year 1992.
- **11/05/99** - The Commission received the company's check for the 1992 penalty and interest charges.

Therefore, staff believes the following recommendations are appropriate.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission grant Jungle Village, Inc. a voluntary cancellation of its Pay Telephone Certificate No. 3097?

**RECOMMENDATION:** Yes. The Commission should grant the company a voluntary cancellation of its pay telephone certificate with an effective date of March 22, 1998. (Isler)

**STAFF ANALYSIS:** Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

On September 20, 1999, Order No. PSC-99-1816-PAA-TC was issued, which imposed a \$500 fine or canceled the company's certificate. The company had until October 11 to protest the Order and until October 18 to pay the fees and fine. On September 27, Ms. Kim Smith, representative of Jungle Village, called staff and explained that the company had requested cancellation of its certificate. Since staff has no record of receiving a previous letter, a copy of the letter was requested. The company later provided staff with a copy of its letter dated March 22, 1998, requesting cancellation. In addition, the company provided a copy of a letter dated March 19, 1998 from ETS Payphones, which thanked Jungle Village for the payphone account. The company subsequently paid the outstanding balance in full.

Accordingly, staff believes the company's request for a voluntary cancellation of its pay telephone certificate should be granted with an effective date of March 22, 1998.

DOCKET NO. 990907-TC  
DATE: DECEMBER 9, 1999

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (K. Peña; B. Keating)

**STAFF ANALYSIS:** If the Commission approves staff's recommendation in Issue 1, no other issues remain unresolved and this docket should be closed.