

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against The Train-Tel Company for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service, and Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 990783-TC
ORDER NO. PSC-00-0057-AS-TC
ISSUED: January 7, 2000

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING OFFER OF SETTLEMENT

BY THE COMMISSION:

The Train-Tel Company (Train-Tel) is a provider of pay telephone service, pursuant to certificate number 5016 granted by Order No. PSC-96-1482-FOF-TC, issued on December 4, 1996. As a result of six apparent violations of Section 25-24.515, Florida Administrative Code, discovered during two successive evaluations of Train-Tel's pay telephone stations, show cause proceedings were initiated.

On November 26, 1999, Train-Tel submitted an offer of settlement, which is attached hereto as Attachment A, and incorporated herein. In its settlement offer, Train-Tel agreed to do the following:

- (1) Inspect all payphones for compliance.
- (2) Pay fines in the amount of \$1,000.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-0057-AS-TC
DOCKET NO. 990783-TC
PAGE 2

(3) In the event of future notification of violations, contact Commission staff regarding any violations they do not fully understand.

Upon consideration, we find that Train-Tel has satisfactorily addressed the issues in this docket. We find the settlement offer is fair and reasonable, and we hereby accept it. Payment shall be submitted to the Commission within ten business days from the date of this order. We will then forward the funds to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

If Train-Tel fails to make all payments in accordance with the terms of the settlement offer, the company's certificate shall be canceled, with an effective date five days after the scheduled settlement payment was due, and the unpaid monetary settlement will be forwarded to the Comptroller's office for collection.

Based on the forgoing, it is

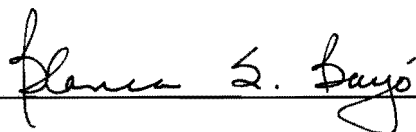
ORDERED by the Florida Public Service Commission that the offer of settlement by The Train-Tel Company, which is appended as Attachment A to this Order and, by reference, is incorporated herein, is hereby approved. It is further

ORDERED that The Train-Tel Company shall remit \$1,000, in accordance with the terms of this order. The payment shall be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the total amount assessed in the agreement, this docket shall be closed administratively. It is further

ORDERED that if The Train-Tel Company fails to make the payment within ten business days from the date of this order, in accordance with the terms of its settlement offer, Certificate No.5016 shall be canceled administratively, effective 5 days after that date, and the unpaid monetary settlement will be forwarded to the Comptroller's office for collection, and this docket will be closed.

ORDER NO. PSC-00-0057-AS-TC
DOCKET NO. 990783-TC
PAGE 3

By ORDER of the Florida Public Service Commission this 7th
day of January, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CLF

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.

ORDER NO. PSC-00-0057-AS-TC
DOCKET NO. 990783-TP
PAGE 4

ATTACHMENT A

The Train-Tel Company
Innovative Communication Services

Telephone (727) 347-4905
Fax (727) 347-8512
5709 1st Avenue South
St. Petersburg, Florida 33707

November 26, 1999

Public Service Commission
Records and Reporting
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399

RE: Docket number 990783

The Train-Tel Company, without admission of liability or wrong-doing, settle proposed payphone violation under rule 25-24.515 for \$900.00 (nine hundred dollars) and settle proposed regulatory assessment fee violation under rule 25-4.0161 for \$100.00 (one hundred dollars). This payment is for full and final payment for all claims associated with the above referenced docket.

The Train-Tel Company promises to inspect all payphones for compliance. We will contact the PSC upon notice of violation to clarify any discrepancies. Furthermore, Train-Tel shall file all regulatory assessment fees in a timely matter.

Please feel free to contact us if you have any questions.

Sincerely,



Sean Trainor