

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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RECORDS AND REPORTING

**DATE:** JANUARY 20, 2000

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

**FROM:** DIVISION OF TELECOMMUNICATIONS (ISLER) *Aji too*  
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *mpf*  
*OK*

**RE:** DOCKET NO. 991348-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 5974 ISSUED TO PARALLEL FOUNDATION, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES

**AGENDA:** 02/01/00 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMU\WP\991348.RCM

CASE BACKGROUND

- **12/22/98** - This company obtained Florida Public Service Commission Pay Telephone Certificate No. 5974.
- **01/99** - The Division of Administration mailed the 1998 RAF notice.
- **11/22/99** - The Company called staff and advised the past due amount would be paid and a settlement offer issued.
- **11/24/99** - The company's check for the past due amount, including statutory penalty and interest charges, was received.

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FPSC-RECORDS/REPORTING

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- **12/13/99** - The Commission received a settlement offer from the company, which proposed to pay future fees on a timely basis and offered a \$100 settlement.
- **12/20/99** - Order No. PSC-99-2482-PAA-TC was issued which imposed a \$500 fine or canceled the company's certificate.

Staff believes the following recommendations are appropriate.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission accept the settlement offer proposed by Parallel Foundation, Inc. to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

**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 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. If the company fails to pay in accordance with the terms of the Commission Order, the company's certificate should be canceled administratively. (Isler)

**STAFF ANALYSIS:** Prior to the November 30, 1999 Agenda Conference, the company paid the past due amount in full. In addition, after the Agenda Conference but prior to the Order being issued on December 20, the offered a settlement in the amount of \$100 and proposed to pay future RAFs on a timely basis.

Accordingly, staff believes the terms of the settlement agreement as summarized in this recommendation should be accepted. Any contribution should be received by the Commission within ten business days from the 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. If the company fails to pay in accordance with the terms of the Commission Order, the company's certificate should be canceled administratively.

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

**RECOMMENDATION:** Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate. (K. Peña; B. Keating)

**STAFF ANALYSIS:** If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate.