

STATE OF FLORIDA

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DIVISION OF COMPETITIVE SERVICES
WALTER D'HAESELEER
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(850) 413-6600

Public Service Commission

May 15, 2001

Via Facsimile

Mr. M. Edward Jones, President
Ameri Coin Communications, Inc.
PO Box 951448
Lake Mary, FL 32795-1448

Re: Docket No. 010538-TC

Dear Mr. Jones:

This is a follow up to our telephone conversation yesterday afternoon concerning the above docket. The regulatory assessment fee (RAF) is due each year by January 30 for the previous year, unless the 30th falls on a weekend, then the due date is the next working day. For example, the 1999 fee was due January 31, 2000 and the 2000 fee was due January 30, 2001.

As mentioned in my May 8 letter, although the Commission has now received your 2000 RAF payment, it was received after the docket had already been established. Since the Commissioners have not yet voted on this docket, and you stated that you wished to keep your certificate active, the company should propose a settlement to resolve this docket.

Normally, there is a \$500 fine imposed for this rule violation. However, in other similar cases, the Commission has accepted settlement amounts for less than the fine amount to be imposed. It should be noted that just paying the past due amount will not prevent your certificate from being cancelled. The company needs to write the Commission a settlement letter that must include the following elements:

- Docket number;
- A statement that it has taken steps to prevent future late payments of the regulatory assessment fees and what those steps are;
- A waiver of objection to the administrative cancellation of the certificate in the event your offer is accepted and you fail to comply with the terms which you have offered; and

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- Make a specific monetary settlement.

Any settlement offer should be addressed to Ms. Blanca Bayó, Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. The proposed settlement amount should not be paid at this time. The settlement amount, if approved by the Commission, must be paid within 10 business days after the Commission Order is issued.

Enclosed is a list outlining all options. Please let me know what your decision is by May 30, 2001. If you wish to discuss this or have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, and by internet e-mail at pisler@psc.state.fl.us.

Sincerely,



Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosure

cc: Docket No. 010538-TC
Division of Legal Services (K. Peña)

CANCELLATION OF THE CERTIFICATE

- **Voluntary Cancellation** - In order to be granted a voluntary cancellation, the company must: 1) write a letter requesting cancellation of the certificate and explain why (such as no longer in the payphone business); 2) pay all past due charges in full; and 3) pay the 2001 Regulatory Assessment Fee (RAF) or provide a date certain that it will be paid (such as 30 days from the date of the Commission Order cancelling the certificate).
- **Involuntary Cancellation** - If the company does nothing to resolve this docket, the certificate will be cancelled on the Commission's own motion. All outstanding RAFs, including penalty and interest charges, will be turned over to the Comptroller's Office for collection. In addition, Rule 25-24.511(5), F.A.C., states that "Only one certificate per applicant will be granted. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled." This means that if the company chooses this option, it could not reapply for a new certificate at a later date.

TO KEEP THE CERTIFICATE ACTIVE

- Pay the past due RAF amount in full, including statutory penalty and interest charges, plus the fine imposed, after the Order is issued and the certificate will remain active. Just paying the past due amount will not prevent your certificate from being cancelled.
- Propose a settlement - All settlements must include the following elements:
 - 1) Docket number;
 - 2) A check for the past due amount in full. It should be noted that just paying the past due amount will not prevent your certificate from being cancelled;
 - 3) A statement that the company has taken steps to prevent future late payments of the regulatory assessment fees and what those steps are;
 - 4) A waiver of objection to the administrative cancellation of the certificate in the event your offer is accepted and you fail to comply with the terms which you have offered; and
 - 5) Make a specific monetary settlement.

Any settlement offer should be addressed to Ms. Blanca Bayó, Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. The proposed settlement amount should **not** be paid at this time, instead only the past due regulatory assessment fee, plus penalty and interest charges should be paid. The settlement amount, if approved by the Commission, must be paid within 10 business days after the Commission Order is issued.

TRANSMISSION VERIFICATION REPORT

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