

ORIGINAL Settlement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

RJR

In re: Initiation of show cause proceedings against Hayes Telecommunications Services, Inc. for apparent violation of Section 364.183(1), F.S., Access to Company Records.

DOCKET NO. 010130-~~TX~~
ORDER NO. PSC-01-1145-AS-~~TX~~
ISSUED: May 21, 2001

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The following Commissioners participated in the disposition of this matter:

- E. LEON JACOBS, JR., Chairman
- J. TERRY DEASON
- LILA A. JABER
- BRAULIO L. BAEZ
- MICHAEL A. PALECKI

TAO 22

*CK 008383
\$3,500.00
MC*

ORDER ACCEPTING SETTLEMENT DEPOSIT

BY THE COMMISSION:

D075

DATE

MAY 31 2001

BACKGROUND

Hayes Telecommunications Services, Inc. (Hayes or company) is an alternative local exchange company (ALEC) certificated to provide telecommunications services in the State of Florida. Hayes certification date is June 21, 1995, and its certificate was valid during the year 2000. On July 6, 2000, Hayes was mailed a certified letter requesting information necessary for inclusion in the local competition report required of this Commission pursuant to Section 364.386, Florida Statutes, with the response due by August 10, 2000. The return receipt card indicates that the certified letter was received at the company on July 7, 2000. As of January 22, 2001, Hayes had not responded to our information request, and this docket was opened to initiate a show cause proceeding against Hayes for its apparent violation of Section 364.183(1), Florida Statutes.

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By Order No. PSC-01-0522-SC-TX, issued March 6, 2001, we initiated a show cause proceeding. On March 26, 2001, Hayes

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FPSC-RECORDS REPORTING

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contacted our staff. On March 27, 2001, a letter was received from Hayes proposing a settlement offer.

We are vested with jurisdiction over this matter pursuant to Sections 364.183, 364.285, 364.337, and 364.386, Florida Statutes.

SETTLEMENT

As stated above, by Order No. PSC-01-0522-SC-TX, issued March 6, 2001, Hayes was ordered to show cause in writing why it should not be fined \$10,000, or have its certificate canceled, for its apparent violation of Section 364.183(1), Florida Statutes, Access to Company Records. Hayes contacted our staff on March 26, 2001, seeking a resolution to the issues in this docket. On March 27, 2001, Hayes sent a response letter which included a settlement offer. In its response to Order No. PSC-01-0522-SC-TX, Hayes proposed the following settlement offer:

- ✓ A voluntary contribution of \$3,500.
- Make organizational modifications to comply with future requests and any other reporting duties that may arise.
- Future correspondence from the Commission will be handled with the utmost care.

We find that the terms of the settlement are fair and reasonable.

Based on the foregoing, we accept Hayes' settlement proposal of a \$3,500 voluntary contribution and assurance that the company will implement measures to ensure future compliance. The voluntary contribution shall be received by us within ten business days of the issuance date of this Order and should include the docket number and company name. We shall forward the contribution to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes. We further find that should the company fail to pay the voluntary contribution in accordance with the terms of this Order, our staff shall be authorized to administratively cancel Certificate Number 4032.

This docket shall remain open pending remittance of the \$3,500 voluntary contribution. Upon our staff's verification of receipt of the voluntary contribution, or failure to pay the contribution