

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Supra Telecommunications and Information Systems, Inc. for apparent violation of Rule 25-22.032(5)(a), F.A.C., Customer Complaints.

DOCKET NO. 010212-TX  
ORDER NO. PSC-01-1357-AS-TX  
ISSUED: June 21, 2001

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

ORDER APPROVING SETTLEMENT PROPOSAL

BY THE COMMISSION:

BACKGROUND

By Order No. PSC-97-0629-FOF-TX, issued June 30, 1997, we granted Supra Telecommunications and Information Systems, Inc. (Supra) alternative local exchange company (ALEC) Certificate No. 4861. Supra reported \$4,128,972.00 in intrastate revenue for 2000.

From October 30, 2000 through January 3, 2001 Supra failed to provide a response to six consumer complaints. On February 12, 2001 this docket was opened to initiate show cause proceedings against Supra for apparent violation of Rule 25-22.032(5)(a), Florida Administrative Code.

Our staff in the Division of Consumer Affairs notified the Division of Competitive Services that they were experiencing difficulty in obtaining responses to consumer complaints from telecommunications companies. Supra was identified as one of the

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telecommunications companies that had failed to respond to some consumer complaints. A docket was opened on February 12, 2001, to initiate show cause proceedings against Supra for its apparent violation of Rule 25-22.032(5)(a), Florida Administrative Code.

Supra met with our staff on May 9, 2001, to review the consumer complaint cases associated with the show cause proceeding. Supra explained that it had been undergoing some personnel changes that impacted its complaint response process. It agreed to investigate the consumer complaints related to this docket and provide documentation if it found that it had timely responded to the consumer complaints. Supra found no documentation to indicate that it had responded. On May 22, 2001 we received a settlement offer from Supra.

This Commission is vested with jurisdiction over this matter pursuant to Sections 364.183, 364.285 and 364.337, Florida Statutes.

#### SETTLEMENT PROPOSAL

Supra proposed the following settlement:

- A monetary settlement of \$1,500 per complaint, for a total of \$9,000; and
- To restructure its Florida Public Service Commission complaint resolution and inquiry response process.

Our Division of Consumer Affairs has confirmed that Supra has adequately responded to each of the six complaints in question. The settlement amount of \$1,500 per complaint is consistent with the settlement approved by Order No. PSC-00-2089-AS-TI, issued November 2, 2000, in Docket No. 000399-TI.

We find that the terms of the settlement agreement are fair and reasonable. Any contribution shall be received within thirty business days from the issuance date of this Order and shall identify the docket number and company name. The \$9,000 voluntary contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285, Florida Statutes.

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If the company fails to pay in accordance with the terms of this Order, certificate number 4861 shall be canceled administratively. The company has waived any objections to the administrative cancellation of certificate number 4861 in the event its offer is approved and it fails to comply with the terms of its settlement offer.

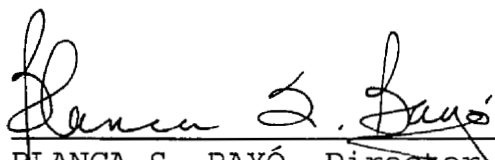
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the settlement proposed by Supra Telecommunications and Information Systems, Inc. to resolve this show cause proceeding is hereby approved. It is further

ORDERED that this docket shall remain open pending remittance of the \$9,000 voluntary contribution as set out in the body of this Order, for deposit in the State of Florida General Revenue Fund. Upon receipt of the payment, this docket shall be closed. It is further

ORDERED that should Supra Telecommunications and Information Systems, Inc. fail to comply with the terms of its settlement offer within 30 business days of the issuance of this Order, Certificate No. 4861 shall be cancelled and this docket shall be closed.

By ORDER of the Florida Public Service Commission this 21st day of June, 2001.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

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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.