

CCA

ORIGINAL
CK 0036082473
\$500.00
MC

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 1760 issued to Protel, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 010412-TC
ORDER NO. PSC-01-1702-AS-TC
ISSUED: August 21, 2001

Settlement
TD618

The following Commissioners participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman		
J. TERRY DEASON	DEPOSIT	DATE
LILA A. JABER		
BRAULIO L. BAEZ	D 1 1 2 5	AUG 28 2001
MICHAEL A. PALECKI		

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Protel, Inc. (Protel) obtained Certificate No. 1760 on November 25, 1987, to provide pay telephone service. Protel had not paid the 2000 Regulatory Assessment Fees (RAFs). Also, accrued statutory penalties and interest charges for late RAFs payments for the year 2000 had not been paid. RAFs are required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAFs of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing pay telephone service.

pp _____
 AF _____
 MP _____
 OM _____
 TR _____
 CR _____
 EG _____
 JPC _____
 AI _____
 GO _____
 EC _____
 ER _____
 JTH _____

DOCUMENT NUMBER-DATE

10330 AUG 21 5

FPSC-COMMISSION CLERK

DOCUMENT NUMBER-DATE

10666 AUG 27 5

FPSC-COMMISSION CLERK

ORDER NO. PSC-01-1702-AS-TC
DOCKET NO. 010412-TC
PAGE 2

Pursuant to Section 350.113(4), Florida Statutes, the RAFs forms, for the period of January 1 through December 31, are mailed to entities at least 45 days prior to the date that payment of the fee is due. Protel was scheduled to remit its RAFs by January 30, 2001.

After this docket was opened, on April 25, 2001, Betty Sohlberg, representative of Protel, called our staff and advised that the past due amount would be paid, and Protel would propose a settlement offer. On July 2, 2001, we received the 2000 RAFs, including accrued statutory penalties and interest charges, and a settlement proposal. Protel offered to contribute \$500 to the State General Revenue Fund, and proposed to pay future RAFs on a timely basis.

This is the second docket established for Protel for the same rule violation. In Docket No. 981201-TC, Order No. PSC-99-0307-FOF-TC was issued on February 16, 1999, which accepted Protel's \$100 settlement and its proposal to pay future RAFs on a timely basis. The company paid the past due amount and settlement amount and the docket was closed.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. Protel must comply with these requirements within ten business days from the date this Order becomes final. The contribution should be identified with the docket number and the company name. Upon timely receipt, the contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Protel has waived any objection to the administrative cancellation of its certificate if it does not comply with its settlement agreement. Upon remittance of the \$500 contribution or cancellation of the certificate, this docket shall be closed. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.3375, and 364.285, Florida Statutes.

Based on the foregoing, it is

ORDER NO. PSC-01-1702-AS-TC
DOCKET NO. 010412-TC
PAGE 3


ORDERED by the Florida Public Service Commission that Protel, Inc.'s settlement proposal set forth in the body of this Order is hereby approved. It is further

ORDERED that this docket shall remain open pending receipt of the \$500 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that if Protel, Inc. fails to comply with this Order, its certificate will be canceled administratively. It is further

ORDERED that upon receipt of the \$500 contribution or cancellation of the certificate this docket shall be closed.

By ORDER of the Florida Public Service Commission this 21st Day of August, 2001.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

JAE