

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of Pay  
Telephone Certificate No. 5016  
issued to The Train-Tel Company  
for violation of Rule 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees; Telecommunications  
Companies.

DOCKET NO. 010685-TC  
ORDER NO. PSC-01-1902-AS-TC  
ISSUED: September 24, 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

BY THE COMMISSION:

Train-Tel Company (Train-Tel) obtained Certificate No. 5016 on  
December 27, 1996, to provide pay telephone service. Train-Tel 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.

DOCUMENT NUMBER-DATE

11939 SEP 24 01

PSC-01-1902-AS-TC CLERK

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. Train-Tel was scheduled to remit its RAFs by January 30, 2001.

After this docket was opened, on June 11, 2001, Mr. Sean Trainor, representative of Train-Tel, wrote a letter to our staff and advised that the past due amount would be paid, and Train-Tel would propose a settlement offer. On July 25, 2001, we received the 2000 RAFs, including accrued statutory penalties and interest charges, and a settlement proposal. On July 27, 2001, we received a proposed settlement and a check for \$500 from Train-Tel.

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. Train-Tel 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. Train-Tel 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. We are vested with jurisdiction over this matter pursuant to Sections 364.336, 364.3375 and 364.285, Florida Statutes.

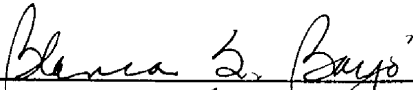
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Train-Tel Company's settlement proposal set forth in the body of this Order is hereby approved. It is further

ORDERED that this docket shall be closed.

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By ORDER of the Florida Public Service Commission this 24th  
Day of September, 2001.

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

( S E A L )

JAE

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 the Commission Clerk and Administrative Services, 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

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of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services 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.