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Public Service Commission

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COMMISSION CLERK

DATE: November 12, 2003
TO: Blanca Bayó, Director, Division of the Commission Clerk & Administrative Services
FROM: Paula Isler, Division of Competitive Markets & Enforcement
RE: Docket No. 030686-TC

On November 10, 2003, staff received a \$20,000 settlement proposal from Telaleasing Enterprises, Inc.'s General Counsel, Ms. Tammy L. Martin. Since this correspondence came directly to staff and has not been documented in the Case Management System, it is being forwarded to you. Please document the settlement proposal in Docket No. 030686-TC. Let me know if you have any questions.

Attachment

cc: Office of the General Counsel (Christensen)

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FPSC-COMMISSION CLERK



VIA FACSIMILE 850-413-6583 AND OVERNIGHT MAIL

November 7, 2003

Mr. Richard A. Moses
Chief, Bureau of Service Quality
Division of Competitive Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0866

2003 NOV 10 11:27
DIVISION OF COMPETITIVE SERVICES

Dear Mr. Moses:

I would like to begin by expressing my sincere appreciation to you and other key staff members for taking the time to meet with Ms. Lin Harvey and Ms. Angela Green on behalf of Telaleasing Enterprises, Inc. ("Telaleasing" or the "Company") this week and for affording us the opportunity to work with you on the issues surrounding the late filing of our regulatory assessment report and the fees associated with the filing. Your feedback is very important to us, and we have taken your input into consideration in formulating the Company's response.

As was explained during the meeting, the Company relied upon designated employees to perform their assigned job responsibilities in a timely manner. Unfortunately, it appears that our reliance was misplaced and, accordingly, we did not meet the Commission's standards for timely filing. We are gravely concerned about this incident, and we understand the need for the Company to take appropriate corrective action to ensure that such an event does not occur in the future.

During this most recent meeting, you were provided with a copy of the memorandum from Mr. Woody McGee, CEO of the Company, addressed to our accounting department. In this memorandum, it is clear that Mr. McGee has imposed strict performance requirements directly related to the timely filing of the regulatory report. As you can see, Mr. McGee is personally calendaring this item and requiring the completed report to be on his desk, ready for filing with the Commission, several weeks in advance of its due date. Employees are subject to serious sanctions for noncompliance with this mandate, up to and including termination.

In addition to the actions set forth in Mr. McGee's memo, Telaleasing will be taking further steps to ensure that the Commission receives timely responses to all of its communications. The Company's Office of General Counsel will become the official point of

contact (liaison of record) for all correspondence received from the Commission. In assuming this role, the General Counsel's Office will implement a system by which all Commission correspondence will be logged and tracked, with appropriate internal due dates assigned to meet required response deadlines.

Telaleasing prides itself on providing high quality public communications services to the public, as well as maintaining consistent compliance with all appropriate regulatory requirements and agencies. We sincerely regret this error. Although we genuinely believe that our oversight in this case was inadvertent, we recognize the seriousness of the issue and want to assure the Commission that management is making a personal commitment to ensure compliance with all Commission requirements. In recognition of the efforts expended by the staff in helping to bring this matter to resolution, Telaleasing will make a voluntary contribution of \$20,000.00 to the General Revenue Fund of the State of Florida, to be paid at such date as determined by the Commission.

Again, I wish to thank you and the other staff members for all of the assistance you have provided us. We look forward to continuing to work together in the future.

Best regards,

Telaleasing Enterprises, Inc.

A wholly owned subsidiary of Davel Communications, Inc.



Tammy L. Martin
General Counsel

Tlm/mys

Cc: Woody McGee
Lin Harvey
Angela Green

DAVEL COMMUNICATIONS, INC
INTEROFFICE MEMORANDUM

TO: VLAD SALVA
FROM: WOODY MCGEE
SUBJECT: FLORIDA REGULATORY FILINGS
DATE: 11/3/2003
CC: DON PALIWODA, TAMMY MARTIN, LIN HARVEY

As you are aware, we have discussed the requirement for the timely filing of annual reports and other regulatory reports. We have discussed at length the importance of the Florida marketplace to our Company and its stakeholders, and the importance of complying with all rules and regulations promulgated by the Florida Public Service Commission and other regulating bodies. It is imperative to our business to properly service the consumer in all marketplaces, with specific emphasis on Florida given its magnitude to our operations. Part and parcel to our providing exemplary consumer service is that we comply with any and all reporting requirements.

I will again remind you that we have discussed the importance of the Florida Regulatory Reports and my mandate that these reports be presented to me for review and signature no later than fifteen days prior to their due date. This mandate is not negotiable and is deemed of the greatest import.

Outlined below is the due date for this report:

For the reporting period January 1, 2003 – December 31, 2003, the regulatory assessment fee return must be filed on or before 1/31/04. Therefore, it must be on my desk on or before January 15th.

There will be no exceptions or excuses for failing to abide by this procedure. Consequences of not complying with this procedure include, but are not limited to, disciplinary action and the potential for termination of employment with the Company.

I look forward to your cooperation concerning this matter.

**DAVEL COMMUNICATIONS, INC.
LEGAL DEPARTMENT**

1001 LAKESIDE AVENUE, 7TH FLOOR
CLEVELAND, OHIO 44114

PHONE: (216) 875-4287 --- DIRECT: (216) 875-4200

FAX: (216) 875-4337

FACSIMILE TRANSMITTAL SHEET

TO: Mr. Richard A. Moses	FROM: Tammy L. Martin, General Counsel
COMPANY: Florida Public Service Commission	DATE: November 7, 2003
FAX: 850-413-6583	TOTAL NO. OF PAGES INCLUDING COVER: 4
PHONE NUMBER:	SENDER'S PHONE NUMBER: 216.875.4200
RE: Telereleasing Enterprises, Inc. -- Regulatory Assessment Report	SENDER'S FAX NUMBER: 216.875.4337

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY ORIGINAL BY MAIL

NOTES AND COMMENTS:

Please find attached my letter relative to the above-referenced subject.

*** * * ATTENTION * * ***

The information contained in this facsimile communication is intended only for the use of the individual named. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (collect) and return this communication to us at the address below via the U.S. Postal Service. Thank you.