

ORIGINAL

State of Florida



Public Service Commission

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COMMISSION  
CLERK

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**DATE:** September 15, 2004  
**TO:** Blanca S. Bayó, Commission Clerk and Administrative Services Director  
**FROM:** Kiwanis L. Curry, Regulatory Analyst I, Division of Competitive Markets & Enforcement  
**RE:** Docket No. 040215-TC

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Please add the following documents to Docket No. 040215-TC:

- 1) Letter dated June 22, 2004
- 2) Letter dated July 6, 2004
- 3) Letter dated August 9, 2004

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FPSC-COMMISSION CLERK

STATE OF FLORIDA

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DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

## Public Service Commission

June 22, 2004

Mr. Ed Otto  
U.S. Paytel Optima, L.L.C.  
8247 Hascall  
Omaha, NE 68124

**Re: Docket No. 040215-TC - Compliance investigation of U.S. Paytel Optima, L.L.C. for apparent violation of Rule 25-4.019, F.A.C., Records and Reports in General.**

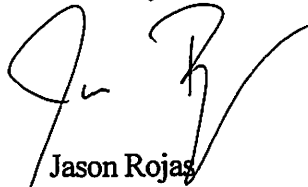
Dear Mr. Otto:

During the telephone conference on June 10, 2004, staff informed you that in order to resolve U.S. Paytel Optima, L.L.C.'s (U.S. Paytel) apparent violation of Rule 25-4.019, F.A.C., Records and Reports in General, you will need to submit the information listed on the enclosed form, and submit a proposed settlement offer in lieu of the \$10,000 penalty. Staff requested that you submit the information and the settlement proposal by **June 25, 2004**. However, during the conversation staff determined that additional time was needed to review the information that was presented during the telephone conference and requested that you not submit your settlement proposal at that time. A follow up letter was faxed to you later that day restating what was discussed during the telephone conference. Per your request, staff also faxed to you the information listed on the enclosed form.

Staff has reviewed the information presented during the telephone conference and at this time requests that U.S. Paytel submit a settlement proposal. Please submit the settlement proposal no later than **July 9, 2004**. As discussed during the telephone conference, the information listed on the enclosed form should be submitted by **June 25, 2004**. If you have any questions or concerns you may contact me at (850) 413-6179 or you may contact Kiwanis Curry at (850)413-6662.

Mr. Ed Otto  
Page 2  
June 21, 2004

Sincerely,

A handwritten signature in black ink, appearing to read 'JR' with a large flourish extending to the right.

Jason Rojas  
Staff Counsel

JS:klc

Enclosure  
TMS # 1477

**U.S. Paytel Optima, L.L.C.  
RAF Compliance Audit 03-248-2-2  
Minimum Documentation Required**

**REVENUES**

1. 2002 General ledger indicating total telecommunications revenues of \$214,091.99.
2. Work sheets indicating allocation between interstate and intrastate.
3. Description of basis for allocation between interstate and intrastate expense.

**EXPENSES**

1. Invoices from other telecommunication companies indicating amounts paid for the use of the intrastate telecommunications network. The RAF return indicates \$88,618.91.
2. Work sheets indicating total invoices and allocation between interstate and intrastate.
3. Description of basis for allocation between interstate and intrastate expense.

July 06, 2004

Ed Otto  
8247 Hascall  
Omaha NE 68124

Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399- 0850

Via Fax: 850-413-6663

Attn: Kiwanis Curry  
RE: US Paytel Optima LLC

Dear Kiwanis,

I haven't had any response from Debbie at Riteline Communications for over a week. I am at my wits end. I know that you have no reason to believe me but it is the truth. I am going to give you her phone number to show you that I am not making this up. I just don't know what to do. The number for Riteline is 305-436-5696. Debbie's cell phone number is 305-986-4390. Maybe with your help I can finally get what we need.


In regards to settling the fine with a proposed offer: Five Hundred Dollars (\$500)

I wish that I could offer more but our pay phones routes have declined from 250 to under 110. The phones are not even making enough money to break even at this point. If we have to pay more in a settlement, we may decide to simply forfeit everything and go out of business, immediately. I don't think I need to tell you the state of affairs in the payphone business. Most of us are going broke or barely surviving.

I am sorry that I don't have better news. I hope that they accept my offer. In fact, if they do I am going to do my best to close down the entire operation by the end of this year and exit the business all together. I don't want any further problems.

I am not trying to get out of paying something, but we can't afford the big fine.

Sincerely,



Ed Otto  
Member, US Paytel Optima LLC

STATE OF FLORIDA

COMMISSIONERS:  
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J. TERRY DEASON  
LILA A. JABER  
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CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

## Public Service Commission

August 9, 2004

Mr. Ed Otto  
8247 Hascall  
Omaha, NE 68124

**Re: Docket 040215-TC – Compliance investigation of U.S. Paytel Optima, L.L.C. for apparent violation of Rule 25-4.019, F.A.C., Records and Reports in General.**

Dear Mr. Otto:

This letter shall confirm our telephone conversation on August 9, 2004. As you are aware, U.S. Paytel Optima, L.L.C. (U.S. Paytel) has not submitted the information requested by staff to complete the RAF Compliance Audit. During our telephone conversation, you agreed to submit the required information by **August 18, 2004**. You were also informed that if staff does not receive the information by that date, staff will recommend cancellation of U.S. Paytel's certificate to the Commission.

A list of the information requested is attached for your convenience. If you have any questions, please feel free to contact at 850-413-6662.

Sincerely,

A handwritten signature in cursive script that reads "Kiwanis L. Curry".

Kiwanis L. Curry  
Bureau of Service Quality

Enclosure

**U.S. Paytel Optima, L.L.C.  
RAF Compliance Audit 03-246-2-2  
Minimum Documentation Required**

**REVENUES**

- 1. 2002 General ledger indicating total telecommunications revenues of \$214,091.99.**
- 2. Work sheets indicating allocation between interstate and intrastate.**
- 3. Description of basis for allocation between interstate and intrastate expense.**

**EXPENSES**

- 1. Invoices from other telecommunication companies indicating amounts paid for the use of the intrastate telecommunications network. The RAF return indicates \$88,618.91.**
- 2. Work sheets indicating total invoices and allocation between interstate and intrastate.**
- 3. Description of basis for allocation between interstate and intrastate expense.**