

State of Florida



ORIGINAL

Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION
CLERK

DATE: October 13, 2004

TO: Braulio L. Baez, Chairman

FROM: Jason P. Rojas, Attorney, General Counsel *JR* *BR*

RE: Docket No. 030696-TI; Compliance Investigation of 9278 Communications, Inc.

On January 12, 2004, the Commission issued Order No. PSC-04-0022-PAA-TI as proposed agency action imposing a penalty upon 9278 Communications for violation of Sections 364.02 and 364.04, Florida Statutes. In its petition, 9278 Communications requests that the Commission refer this matter to the Division of Administrative Hearings (DOAH) to conduct the hearing.

Staff recommends that if a hearing is deemed necessary, that it be scheduled for hearing before the Commission and not referred to DOAH. This proceeding involves highly technical matters and application of the Commission's rules concerning these matters. The Commission is familiar with the complexities and history of the matters at issue and should, in staff's opinion, conduct any needed proceeding.

cc: Rick Melson
Beth Keating

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