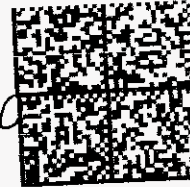


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Agenda 3/16/10
Item #8

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FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, March 16, 2010, 9:30 a.m.

LOCATION: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

DATE ISSUED: March 5, 2010

NOTICE

Persons affected by Commission action on certain items on this agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at this conference. These items are designated by double asterisks (***) next to the agenda item number.

To participate informally, affected persons need only appear at the agenda conference and request the opportunity to address the Commission on an item listed on agenda. Informal participation is not permitted: (1) on dispositive motions and motions for reconsideration; (2) when a recommended order is taken up by the Commission; (3) in a rulemaking proceeding after the record has been closed; or (4) when the Commission considers a post-hearing recommendation on the merits of a case after the close of the record. The Commission allows informal participation at its discretion in certain types of cases (such as declaratory statements and interim rate orders) in which an order is issued based on a given set of facts without hearing.

See Rule 25-22.0021, F.A.C., concerning Agenda Conference participation and Rule 25-22.0022, F.A.C., concerning oral argument.

To obtain a copy of staff's recommendation for any item on this agenda, contact the Office of Commission Clerk at (850) 413-6770. There may be a charge for the copy. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com>, at no charge.

Any person requiring some accommodation at this conference because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours before the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). Assistive Listening Devices are available in the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

Video and audio versions of the conference are available and can be accessed live on the PSC Website on the day of the Conference. The audio version is available through archive storage for up to three months after the conference.

ITEM NO.

CASE

8**PAA

Docket No. 060485-TI – Compliance investigation of Toll Free Connect, Inc., Access One Communications, Inc., and Enhanced Billing Services, Incorporated for apparent violations of Chapter 364, F.S., and Chapter 25-24, F.A.C.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: RAD: Kennedy

GCL: Tan

Issue 1: Should the Commission, on its own motion and with prejudice, cancel Enhanced Billing Services, Incorporated, Access One Communications, Inc., and Toll Free Connect, Inc.'s intrastate interexchange telecommunications tariffs and remove each company from the register with an effective date of December 31, 2009, and permanently deny any future application for a certificate of public convenience and necessity or registration to operate as a regulated telecommunications provider in Florida submitted by Mr. Willoughby Farr and Ms. Mary Lou Farr, for the companies and the officers apparent violation of Section 364.604, F.S., Billing Practices, Section 364.336, F.S., Regulatory Assessment Fees, and Rule 25-4.0161, F.A.C., Regulatory Assessment Fees, Telecommunications Companies?

Recommendation: Yes.

Issue 2: Should this docket be closed?

Recommendation: The Order issued from this recommendation will become final and effective upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest that identifies with specificity the issues in dispute, in the form provided by Rule 28-106.201, Florida Administrative Code, within 21 days of the issuance of the Proposed Agency Action Order. As provided by Section 120.80(13) (b), Florida Statutes, any issues not in dispute should be deemed stipulated. If Enhanced Billing Services, Incorporated, Access One Communications, Inc., Toll Free Connect, Inc., Mr. Willoughby Farr, or Ms. Mary Lou Farr fails to timely file a protest and request a Section 120.57, Florida Statutes, hearing, the facts should be deemed admitted, the right to a hearing waived, and the cancellation of IXC Registration Nos. TJ938, TJ942, and TK018 should be final. The companies and persons should be required to immediately cease and desist providing intrastate interexchange telecommunications services in Florida. The Commission should order staff to submit a request to write-off the unpaid Regulatory Assessment Fees, and accrued statutory late payment charges to the Florida Department of Financial Services. This docket should be closed administratively upon submission of the request to write-off the Regulatory Assessment Fees and late payment charges to the Department of Financial Services.