

FLORIDA PUBLIC SERVICE COMMISSION

Item 2

VOTE SHEET

January 8, 2015

FILED JAN 08, 2015
DOCUMENT NO. 00139-15
FPSC - COMMISSION CLERK

Docket No. 140222-TC – Initiation of show cause proceedings against Tri-County Telephone, Inc. for apparent violation of Section 364.335(2), F.S., Application for Certificate of Authority, Section 364.3375(2), F.S., Pay Telephone Service Providers, Rule 25-4.0051, F.A.C., Current Certificate Holder Information, and Rule 25-22.032(6)(b), F.A.C., Customer Complaints.

Issue 1: Should the Commission order Tri-County Telephone, Inc., to show cause in writing within 21 days of the date of the order why it should not be penalized \$2,000 or its Certificate No. 7903 should not be cancelled for apparent violations of Section 364.335(2), F.S., Section 364.3375(2), F.S., Rule 25-4.0051, F.A.C., and Rule 25-22.032(6)(b), F.A.C.?

Recommendation: Yes. The Commission should order Tri-County Telephone, Inc., to show cause in writing within 21 days of the issuance of the Commission Order why it should not be penalized \$2,000 or its Certificate No. 7903 cancelled for apparent violations of Section 364.335(2), F.S., Section 364.3375(2), F.S., Rule 25-4.0051, F.A.C., and Rule 25-22.032(6)(b), F.A.C. Specifically, staff recommends that Tri-County Telephone, Inc., be directed to repair or remove the inoperable payphone, pay a penalty of \$2,000, update company contact information with the Commission Clerk, and update the Company’s Corporate Registration with the Florida Secretary of State. Tri-County Telephone, Inc.’s response must contain specific allegations of fact or law. If Tri-County Telephone, Inc., fails to respond to the show cause order or request a hearing, pursuant to Section 120.57, F.S., within 21 days and/or remit the penalty, the facts should be deemed admitted and the Company’s Certificate No. 7903 should be cancelled. If a penalty is assessed and paid by the Company, the Commission will remit the penalty to the State of Florida General Revenue Fund, pursuant to Section 364.285, F.S.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

The majority section contains three handwritten signatures in blue ink. The first signature is the most prominent, followed by two others below it, all written over horizontal lines.

REMARKS/DISSENTING COMMENTS:

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Issue 2: Should this docket be closed?

Recommendation: No. If Issue 1 is approved, then Tri-County Telephone, Inc., will have 21 days, from the issuance of the Order to Show Cause, to respond in writing why it should not be assessed a penalty or have its certificate canceled. If Tri-County Telephone, Inc. timely responds, in writing, to the Order to Show Cause, and repairs or removes the inoperable payphone, updates the company contact information with the Commission Clerk, updates the Company's Corporate Registration with the Florida Secretary of State, and timely pays the assessed penalty of \$2,000, the penalty should be deposited in the Florida General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes, and the docket closed administratively. If Issue 1 is approved and Tri-County Telephone, Inc. fails to timely respond to the Order to Show Cause or request a hearing, fails to repair or remove the inoperable payphone, fails to update the company contact information with the Commission Clerk, fails to update the Company's Corporate Registration with the Florida Secretary of State, or fails to timely pay the assessed penalty of \$2,000, then Tri-County Telephone, Inc.'s Certificate No. 7903 should be canceled and the docket closed administratively.

APPROVED