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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: 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.

DOCKET NO. 140222-TC
ORDER NO. PSC-15-0156-AS-TC
ISSUED: April 22, 2015

REDACTED

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
LISA POLAK EDGAR
RONALD A. BRISÉ
JULIE I. BROWN
JIMMY PATRONIS

ORDER APPROVING SETTLEMENT AND
FINALIZING SHOW CAUSE ORDER

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15 APR 29 AM 11:05
COMMISSION
CLERK

BY THE COMMISSION:

CASE BACKGROUND

Our staff opened Docket No. 140222-TC to initiate show cause proceedings against Tri-County Telephone, Inc. (Tri-County or Company) for apparent violations of Florida Statutes and Commission rules and regulations in failing to: maintain an operable pay telephone, reply to customer complaints, maintain current contact information with the Commission, and maintain current corporation status with the Florida Secretary of State.

On January 14, 2015, we issued Order No. PSC-15-0049-SC-TC¹ (Show Cause Order), ordering Tri-County to show cause in writing within 21 days of the issuance of the Order why it should not be penalized \$2,000 or its Pay Telephone Certificate No. 7903 cancelled for apparent violations of Sections 364.335(2) and 364.3375(2), Florida Statutes (F.S.), and Rules 25-4.0051 and 25-22.032(6)(b), Florida Administrative Code (F.A.C.) Pursuant to the Show Cause Order,

¹ See Order No. PSC-15-0049-SC-TC, issued January 14, 2015, in Docket No. 140222-TC, In re: 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.

Tri-County's response was due on February 4, 2015. On February 2, 2015, Tri-County filed a response to the Order to Show Cause, wherein it offered to submit a \$300.00 penalty to resolve the apparent violations and to voluntarily surrender its certificate.² Finally, Tri-County submitted its 2014 and 2015 Regulatory Assessment Fees to the Commission on March 11, 2015, in compliance with Section 364.336, F.S., and Rule 25-4.0161, F.A.C.

We have jurisdiction pursuant to Chapter 364, F.S., Rule 25-4.0051, F.A.C., and Rule 25-22.032, F.A.C.

DECISION

On February 2, 2015, Tri-County filed a letter in response to our Show Cause Order and offered to submit a \$300.00 penalty and voluntarily surrender its certificate in an effort to fully resolve the apparent violations of Sections 364.335(2) and 364.3375(2), F.S., and Rules 25-4.0051 and 25-22.032(6)(b), F.A.C. In its response, Tri-County stated that it stopped operating pay telephones in 2009, at which time Tri-County disconnected and removed all of its pay telephones. The pay telephone that is the subject of this complaint was thought to have been removed by Tri-County.³ Although Tri-County ceased operating pay telephones, it maintained its Pay Telephone Certificate No. 7903 and submitted its annual Regulatory Assessment Fees (RAFs).⁴

The goal of any show cause proceeding is to ensure compliance with Florida law and the Commission's rules and orders. We find that the settlement proposed by Tri-County accomplishes this goal, as well as provides a remedy for apparent past violations. We further find that the settlement to be in the public interest and promotes administrative efficiency by avoiding the time and expense of a hearing. Therefore, we hereby approve the proposed settlement offer submitted by Tri-County.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the settlement proposed by Tri-County Telephone, Inc., attached hereto as Attachment A, is hereby approved, resolving all outstanding matters in this docket. It is further,

ORDERED that Tri-County Telephone, Inc. remit a penalty in the amount of \$300.00 to the Commission within fourteen (14) days from the date of this Order and Tri-County Telephone, Inc. identify the docket number and company name with its penalty payment. It is further,

² See Document No. 00711-15, in Docket No. 140222-TC, Letter from Tri-County Telephone, Inc., dated January 27, 2015, attached hereto as Attachment A.

³ Between the initial reporting of the customer complaint and the issuance of the Commission's Show Cause Order, the pay telephone was removed by the property manager of the site where the pay telephone was located.

⁴ On March 11, 2015, Tri-County submitted its 2014 RAFs, including penalties and interest, as well as its RAFs for 2015.

ORDERED that Tri-County Telephone, Inc.'s Pay Telephone Certificate No. 7903 be cancelled effective the date Tri-County Telephone, Inc.'s \$300.00 payment is received by the Commission. It is furthered,

ORDERED that the Commission shall forward the penalty received from Tri-County Telephone, Inc. to the Florida Department of Financial Services for deposit in the State of Florida General Revenue Fund pursuant to Section 364.285, F.S. It is further,

ORDERED that this docket be administratively closed upon receipt of Tri-County Telephone, Inc.'s \$300.00 penalty payment and cancellation of Tri-County's Pay Telephone Certificate No. 7903.

By ORDER of the Florida Public Service Commission this 22nd day of April, 2015.



HONG WANG
Chief Deputy Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

REDACTED

ORDERED that Tri-County Telephone, Inc.'s Pay Telephone Certificate No. 7903 be cancelled effective the date Tri-County Telephone, Inc.'s \$300.00 payment is received by the Commission. It is furthered,

ORDERED that the Commission shall forward the penalty received from Tri-County Telephone, Inc. to the Florida Department of Financial Services for deposit in the State of Florida General Revenue Fund pursuant to Section 364.285, F.S. It is further,

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By ORDER of the Florida Public Service Commission this 22nd day of April, 2015.

Hong Wang

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Chief Deputy Commission Clerk
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KFC

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WESTERN UNION **WU** **MONEY ORDER**
moving money for better

WESTERN UNION FINANCIAL SERVICES INC. - ISSUER - Englewood, Colorado
Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado

PUBLIX #1361

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L 1133 13 L 001361 \$ 300.00

PAY EXACTLY THREE HUNDRED DOLLARS AND NO CENTS
PAY TO THE ORDER OF Florida Public Service Commission Docket Number 140222-TC

Tri County telephone PO Box 667812 Dobbie Little
Pompano Bch Fl. 33066

PURCHASER'S SIGNATURE
PURCHASER BY SIGNING YOU AGREE TO THE TERMS ON THE REVERSE SIDE