

MINUTES OF
COMMISSION CONFERENCE, TUESDAY, APRIL 3, 2001
COMMENCED: 9:45 a.m.
ADJOURNED: 3:30 p.m.

COMMISSIONERS PRSENT: Chairman Jacobs
Commissioner Deason
Commissioner Jaber
Commissioner Baez
Commissioner Palecki

Parties were allowed to address the Commission on items designated by double asterisks (**).

-
- 1 Approval of Minutes
February 20, 2001 Regular Commission Conference
February 21, 2001 Special Commission Conference

DECISION: The minutes were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

- 2** Consent Agenda

PAA A) Applications for certificates to provide pay telephone service.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
010108-TC	Cincinnati Bell Public Communications Inc.
010200-TC	Thair Y. Said d/b/a Crossroads Texaco
010260-TC	TCG Public Communications, Inc.
010304-TC	Ring Out Communications, Inc.

PAA B) Applications for certificates to provide alternative local exchange telecommunications service.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
010109-TX	Globaltron Communications Corporation
010281-TX	New Access Communications LLC

Minutes of
 Commission Conference
 April 3, 2001

ITEM NO. CASE

PAA C) Applications for certificates to provide interexchange telecommunications service.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
010101-TI	Globaltron Communications Corporation
010217-TI	Gates Communications, Inc.
010282-TI	New Access Communications LLC

PAA D) DOCKET NO. 010165-TP - Request for cancellation of ALEC Certificate No. 4724, IXC Certificate No. 4723, and Shared Tenant Service Certificate No. 4725 by Time Warner Connect, effective January 30, 2001.

PAA E) Requests for cancellation of interexchange telecommunications certificates.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>EFFECTIVE DATE</u>
010307-TI	Innovative Telecom Corporation	12/18/00
010294-TI	Congee Communications Corporation d/b/a CommRad.com	3/5/01

F) Requests for approval of resale agreements.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CRITICAL DATE</u>
010256-TP	New Connects, Inc.; Sprint-Florida, Incorporated	05/22/01
010292-TP	BellSouth Telecommunications, Inc.; BroadRiver Corporation.	06/04/01
010298-TP	BellSouth Telecommunications, Inc.; CI2, Inc.	06/05/01

Minutes of
 Commission Conference
 April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>		
	<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CRITICAL DATE</u>
	010299-TP	BellSouth Telecommunications, Inc.; A 1 Mobile Tech, Inc.	06/05/01
	G) Request for approval of interconnection, unbundling, and resale agreement.		
	<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CRITICAL DATE</u>
	010297-TP	BellSouth Telecommunications, Inc.; LightSource Telecom I, LLC	06/05/01
	H) Request for approval of two amendments to interconnection, unbundling, and resale agreement.		
	<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CRITICAL DATE</u>
	010311-TP	BellSouth Telecommunications, Inc.; XO Florida, Inc. (f/k/a NEXTLINK Florida, Inc.)	06/10/01
	I) Requests for approval of interconnection, unbundling, resale and collocation agreements.		
	<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CRITICAL DATE</u>
	010250-TP	BellSouth Telecommunications, Inc.; Yipes Transmission, Inc.	05/21/01
	010253-TP	BellSouth Telecommunications, Inc.; Edge Connections, Inc.	05/21/01
	010293-TP	BellSouth Telecommunications, Inc.; AugLink Communications, Inc.	06/04/01

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

2**

Consent Agenda

(Continued from previous page)

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CRITICAL DATE</u>
010295-TP	BellSouth Telecommunications, Inc.; Compass Telecommunications Incorporated	06/05/01

J) Request for approval of interconnection, unbundling, resale and collocation agreement and name change amendment.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CRITICAL DATE</u>
010243-TP	BellSouth Telecommunications, Inc.; Preferred Carrier Services, Inc. d/b/a Telefonos Para Todos and d/b/a Phones For ALL	05/17/01

Minutes of
Commission Conference
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>
2**	Consent Agenda (Continued from previous page) K) Request for approval of interim traffic termination and billing agreement.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>CRITICAL DATE</u>
010269-TP	Adelphia Business Solutions Investment, LLC; Smart City Telecommunications L.L.C. d/b/a Smart City Telecom (f/k/a Vista-United Telecommunications)	05/29/01

Recommendation: The Commission should approve the action requested in the dockets referenced above and close these dockets.

DECISION: The recommendation was approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

ITEM NO.

CASE

3 DOCKET NO. 010113-WS - Petition for declaratory statement by Florida Water Services Corporation that proposed provision of emergency backup water service to residences in St. John County by the Flagler County systems of Florida Water Services Corporation does not constitute service which transverses county boundaries under Section 367.171(7), F.S.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: APP: Bellak
RGO: Messer

(Decision on declaratory statement; parties may participate at the Commission's discretion.)

ISSUE 1: Should the Commission issue a declaratory statement in this docket?

RECOMMENDATION: Yes. The Commission should issue a declaratory statement concerning the status of this emergency interconnect pursuant to Section 367.171(7).

ISSUE 2: Should the Commission grant the declaratory statement requested by Florida Water?

RECOMMENDATION: Yes. The Commission should grant the declaratory statement requested by Florida Water.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes, this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

4**

DOCKET NO. 001493-TX - Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 7238 issued to Advanced Digital Information Systems, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: K. Pena, B. Keating

ISSUE 1: Should the Commission grant Advanced Digital Information Systems, Inc. a voluntary cancellation of its Certificate No. 7238?

RECOMMENDATION: Yes. The Commission should grant the company a voluntary cancellation of its Certificate No. 7238 with an effective date of December 29, 2000.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

5**

DOCKET NO. 001207-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 2494 issued to Group Long Distance, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: K. Pena, B. Keating

ISSUE 1: Should the Commission accept the settlement offer proposed by Group Long Distance, Inc. to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal to pay future regulatory assessment fees using the RAF forms provided by the Commission.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

6**

Cancellation by Florida Public Service Commission of interexchange telecommunications certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 001264-TI - Telscape USA, Inc.

DOCKET NO. 001300-TI - Discount Utilities, LLC

Critical Date(s): None

Commissioners Assigned: Full Commission

Prehrg Officer ADM

Staff: CMP: Isler
LEG: Cibula

ISSUE 1: Should the Commission accept the settlement offer proposed by each company listed on page 4 of staff's March 22, 2001 memorandum to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should accept each company's respective settlement proposal. Any contribution should be received by the Commission within ten business days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If either of the companies listed on page 4 fails to pay in accordance with the terms of the Commission Order, that company's respective certificate should be canceled administratively.

ISSUE 2: Should these dockets be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation on Issue 1, the docket for each company listed on page 4 should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

7**

DOCKET NO. 001296-TI - Cancellation by Florida Public Service Commission of IXC Certificate No. 3123 issued to Evercom Systems, Inc. d/b/a Correctional Billing Services for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

ISSUE 1: Should the Commission accept the settlement offer proposed by Evercom Systems, Inc. d/b/a Correctional Billing Services to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

8**PAA

DOCKET NO. 001313-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 5696 issued to Twister Communications Network, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

ISSUE 1: Should the Commission cancel Twister Communications Network, Inc.'s Certificate No. 5696?
RECOMMENDATION: Yes. This company filed for Chapter 7 bankruptcy on May 23, 2000. Therefore, the Commission should grant the company a "bankruptcy cancellation" of its Certificate No. 5696, effective September 6, 2000. In addition, the Division of Administration will be notified that the past due RAFs should not be sent to the Comptroller's Office for collection, but that permission for the Commission to write off the uncollectible amount should be requested.

ISSUE 2: Should this docket be closed?
RECOMMENDATION: Yes. If the Commission approves or modifies staff's recommendation on Issue 1, this docket should be closed upon cancellation of the certificate. The Order issued from this recommendation will become final upon issuance of the Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. If the Commission denies staff's recommendation on Issue 1, this docket should be closed administratively.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

8**PAA

DOCKET NO. 001313-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 5696 issued to Twister Communications Network, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated.

(Continued from previous page)

Minutes of
Commission Conference
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>
9**PAA	<p>DOCKET NO. 010083-TL - Request for temporary waiver of physical collocation in the Atlantic RSM central office by BellSouth Telecommunications, Inc.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer DS</p> <p>Staff: CMP: T. Watts LEG: Banks</p> <p><u>ISSUE 1</u>: Should BellSouth's Request for Temporary Waiver of Physical Collocation Requirements in the Atlantic RSM central office be granted? <u>RECOMMENDATION</u>: Yes. BellSouth's Request for Temporary Waiver of Physical Collocation Requirements in the Atlantic RSM central office should be granted until June 30, 2001.</p> <p><u>ISSUE 2</u>: Should this docket be closed? <u>RECOMMENDATION</u>: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed.</p> <p><u>DECISION</u>: The recommendations were approved.</p> <p>Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki</p>

Minutes of
Commission Conference
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>
10**	<p>DOCKET NO. 001287-EI - Petition for approval of a special contract with IMC Phosphates Company for provision of interruptible electric service by Tampa Electric Company.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer BZ</p> <p>Staff: ECR: E. Draper LEG: Hart SER: Bohrmann, Breman, Futrell</p> <p><u>ISSUE 1</u>: Should this docket be closed? <u>RECOMMENDATION</u>: Yes.</p>

DECISION: The recommendation was approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>
11**PAA	DOCKET NO. 001806-WU - Petition for limited proceeding to increase rates in Nassau County by Florida Public Utilities Company (Fernandina Beach System).

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer JB

Staff: ECR: B. Davis, Edwards, Merchant, Crouch
LEG: Jaeger

ISSUE 1: Should FPUC's request for a limited proceeding increase be granted?

RECOMMENDATION: Yes. An annual revenue increase of \$239,291 (8.86%) should be granted.

ISSUE 2: What are the appropriate water rates for this limited proceeding?

RECOMMENDATION: The recommended water rates should be designed to produce additional annual operating revenues of \$236,291 or an 8.86% increase over the present rates, as shown on Schedule No. 2 in staff's memorandum. The approved rates should be effective for service rendered on or after the stamped approval date of the revised tariff sheets pursuant to Rule 25-30.475(1), Florida Administrative Code. The rates should not be implemented until staff has approved the proposed customer notice, and the notice has been received by the customers. The utility should provide proof of the date notice was given no less than 10 days after the date of the notice.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within twenty-one days of the issuance of the order, this docket should be closed upon the issuance of a consummating order, and staff's verification that the revised tariff sheets and customer notice have been filed by the utility and approved by staff.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

11 DOCKET NO. 001806-WU - Petition for limited proceeding to
increase rates in Nassau County by Florida Public Utilities
Company (Fernandina Beach System).

(Continued from previous page)

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

12**PAA

DOCKET NO. 010168-WU - Application for limited proceeding emergency, temporary, and permanent increase in water rates to customers in Seven Springs service area in Pasco County, by Aloha Utilities, Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer BZ

Staff: ECR: Fletcher, Lingo, Merchant, Stallcup, Willis,
Kummer
LEG: Fudge, Jaeger

ISSUE 1: Should the utility's request for emergency rates be approved?

RECOMMENDATION: No. Aloha's failure to adequately address its over pumping problem over the past two years does not make its request for rate relief an emergency.

ISSUE 2: Should the utility's request for a limited proceeding for a temporary and permanent rate increase be approved?

RECOMMENDATION: No. This limited proceeding request is an inappropriate vehicle to establish new rates for the Seven Springs water system.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. If no timely protest is received upon expiration of the protest period, the Order should become final and effective upon the issuance of a Consummating Order and this docket should be closed.

DECISION: The recommendations were approved with the modification that order for Issue 1 will be procedural rather than proposed agency action.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>
13**	<p>DOCKET NO. 010232-WU - Request for approval of tariff filing to add "set rate" late fee to water tariff, by Lake Yale Treatment Associates, Inc. in Lake County.</p> <p>Critical Date(s): 4/13/01 (60-day suspension date)</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: ECR: Biggins, Fitch, Rendell LEG: Espinoza</p> <p><u>ISSUE 1</u>: Should Lake Yale Treatment Associates, Inc.'s proposed tariff to implement a \$4 late payment charge be approved?</p> <p><u>RECOMMENDATION</u>: Yes. Original Tariff Sheet No. 16.1 filed on February 12, 2001, should be approved as filed. The tariff sheet should be implemented on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(2), Florida Administrative Code, provided the customers have received notice.</p> <p><u>ISSUE 2</u>: Should the docket be closed?</p> <p><u>RECOMMENDATION</u>: If Issue 1 is approved, the tariff should become effective on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475, Florida Administrative Code. If a protest is filed within 21 days of the issuance date of the Order, the tariff should remain in effect with all late payment charges held subject to refund pending resolution of the protest, and the docket should remain open. If no timely protest is filed, this docket should be closed upon the issuance of a Consummating Order.</p> <p><u>DECISION</u>: The recommendations were approved.</p> <p>Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki</p>

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

14**

DOCKET NO. 010288-EI - Complaint of Michelle P. Ohlson against Florida Power Corporation for alleged improper backbilling.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Walker
CAF: Stokes
ECR: Wheeler

ISSUE 1: Should the request for an informal conference by Mrs. Michelle P. Ohlson be granted?

RECOMMENDATION: No. Pursuant to Section 25-22.032(8)(c), Florida Administrative Code, the Commission should dismiss Mrs. Ohlson's request because it states no basis upon which relief can be granted.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. This docket should be closed because no further action by the Commission is necessary.

DECISION: The recommendations were denied. The request for informal conference was granted, with negotiations to be attempted prior to the conference.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

15**

DOCKET NO. 001066-TI - Initiation of show cause proceedings against America's Tele-Network Corp. for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.

DOCKET NO. 001813-TX - Initiation of show cause proceedings against America's Tele-Network Corp. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries. (Deferred from the September 26, 2000 Commission Conference; revised recommendation filed.)

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Banks
CAF: C. Pena
CMP: Buys, Kennedy

ISSUE 1: Should the Commission accept the second revised final settlement offer, dated February 9, 2001, proposed by AT-N to resolve the apparent violations of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection, in Docket No. 001066-TI?

RECOMMENDATION: Yes. Staff recommends that the Commission accept AT-N's second revised final settlement offer, dated February 9, 2001, to resolve the apparent violations of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection, in Docket No. 001066-TI.

AT-N should be required to file a report with the Commission by May 11, 2001, expounding how AT-N has complied with its settlement offer and provided restitution to all of the individuals who have filed a complaint against its IXC operations, up to and including the date of issuance of the Commission's Order. According to its settlement offer, AT-N's Certificate No. 4377 should be canceled and the company should cease operations in Florida by March 31, 2001.

If AT-N fails to file a report with the Commission by May 11, 2001, and demonstrate that it has complied with its settlement offer and provided restitution to all the individuals who filed a complaint with the Commission up to

ITEM NO.

CASE

15**

DOCKET NO. 001066-TI - Initiation of show cause proceedings against America's Tele-Network Corp. for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.

DOCKET NO. 001813-TX - Initiation of show cause proceedings against America's Tele-Network Corp. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

(Continued from previous page)

and including the date of issuance of the Commission's Order, further show cause proceedings should be initiated. ISSUE 2: Should the Commission accept the second revised final settlement offer, dated February 9, 2001, proposed by AT-N to resolve the apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries, in Docket No. 001813-TX?

RECOMMENDATION: Yes. Staff recommends that the Commission accept AT-N's second revised final settlement offer, dated February 9, 2001, to resolve the apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries, in Docket No. 001813-TX. AT-N should be required to file a report with the Commission by May 11, 2001, expounding how AT-N has complied with its settlement offer and provided restitution to the five individuals who have filed a complaint against its ALEC operations. According to its settlement offer, AT-N's Certificate No. 4834 should be canceled and the company should cease operations in Florida by March 31, 2001.xcd

If AT-N fails to file a report with the Commission by May 11, 2001, and demonstrate that it has provided restitution to the five individuals who have filed a complaint against its ALEC operations, further show cause proceedings should be initiated.

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

15**

DOCKET NO. 001066-TI - Initiation of show cause proceedings against America's Tele-Network Corp. for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.

DOCKET NO. 001813-TX - Initiation of show cause proceedings against America's Tele-Network Corp. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

(Continued from previous page)

ISSUE 3: Should these dockets be closed?

RECOMMENDATION: No. If the Commission approves staff's recommendations, AT-N's Certificates Nos. 4377 and 4834 will be involuntarily canceled upon issuance of this Order. If AT-N complies with its settlement offer, Dockets Nos. 001066-TI and 001813-TX should be closed administratively. If however, AT-N fails to show that it has complied with its settlement offer by May 11, 2001, these dockets should remain open pending further show cause proceedings.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

ITEM NO.

CASE

16**

DOCKET NO. 010245-TI - Initiation of show cause proceedings against OLS, Inc. for apparent violations of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection, and fine assessment for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer BZ

Staff: LEG: Banks
CMP: Buys

ISSUE 1: Should the Commission order OLS to show cause why it should not be fined \$10,000 per apparent violation, for a total of \$490,000, or have Certificate No. 5224 canceled for apparent violations of Rule 25-4.118, Florida Administrative Code, Toll, Local Toll, or Toll Provider Selection?

RECOMMENDATION: Yes. The Commission should order OLS to show cause in writing within 21 days of the Commission's order why it should not be fined \$10,000 per violation, totaling \$490,000, for apparent violations of Rule 25-4.118, Florida Administrative Code, Toll, Local Toll, or Toll Provider Selection. The company's response should contain specific allegations of fact and law. If OLS fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period, the facts shall be deemed admitted, the right to a hearing waived, and the fine shall be deemed assessed. If OLS pays the fine, it should be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes. If the company fails to respond to the Order to Show Cause, and the fine is not paid within ten business days after the expiration of the show cause response period, Certificate No. 5224 shall be canceled administratively.

PAA

ISSUE 2: Should the Commission fine OLS \$500 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should impose a \$500 fine for failure to comply with Rule 25-4.0161, Florida

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

16**

DOCKET NO. 010245-TI - Initiation of show cause proceedings against OLS, Inc. for apparent violations of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection, and fine assessment for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

Administrative Code, Regulatory Assessment Fees; Telecommunications Companies. The fine should be remitted within ten business days after the issuance of the Consummating Order and forwarded to the Office of the Comptroller for deposit in the State Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested within 21 days and the fine, statutory penalty, and interest charges are not received by the Commission within ten business days after the issuance of the Consummating Order, they should be forwarded to the Office of the Comptroller for collection.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: No. If staff's recommendation in Issue 1 is approved, OLS will have 21 days from the issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed or have its certificate canceled. If OLS timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceedings and to process any protest to Issue 2 that may be filed within 21 days of the issuance of the Order by a person whose substantial interests are affected by the Commission's Proposed Agency Action.

If OLS fails to respond to the Commission's show cause order and the fine is not received within ten business days after the expiration of the 21-day show cause response period, the company's certificate should be canceled administratively. If no timely protest is filed in response to the Proposed Agency Action in Issue 2, the fine imposed in Issue 2, including statutory penalty and interest charges, should be forwarded to the Comptroller's Office for Collection. This docket may then be closed administratively.

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

16**

DOCKET NO. 010245-TI - Initiation of show cause proceedings against OLS, Inc. for apparent violations of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection, and fine assessment for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

DECISION: This item was deferred to the May 1, 2001 Commission Conference.

Minutes of
Commission Conference
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>
17**	DOCKET NO. 010132-TX - Initiation of show cause proceedings against International Telcom, Ltd. for apparent violation of Section 364.183(1), F.S., Access to Company Records.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Elliott
CMP: K. Craig

ISSUE 1: Should the Commission accept the settlement offer proposed by International Telcom, Ltd. (ITL) to resolve the apparent violation of Section 364.183(1), Florida Statutes, Access to Company Records?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within ten business days of the issuance date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, Certificate Number 5531 should be canceled administratively.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. With the approval of Issue 1, this docket should remain open pending remittance of the \$3,500 voluntary contribution. Upon remittance of the settlement payment, this docket should be closed. If the company fails to pay in accordance with the terms of the Commission Order, Certificate Number 5531 should be canceled administratively and this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

18**

DOCKET NO. 001353-TI - Initiation of show cause proceedings against Labree Management, Inc. for apparent violation of Rule 25-24.640(1)(f), F.A.C., Service Requirements for Call Aggregators.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Fudge
CMP: C. Lewis

ISSUE 1: Should the Commission order Labree Management, Inc. to show cause why it should not be fined \$3,000 for apparent violations of Rule 25-24.640(1)(f), Florida Administrative Code, Service Requirements for Call Aggregators?

RECOMMENDATION: No. The Commission should not order Labree Management, Inc. to show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined \$3,000 for apparent violations of Rule 25-24.640(1)(f), Florida Administrative Code, Service Requirements for Call Aggregators.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves Issue 1, this docket should be closed upon issuance of the Commission's Order.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

19**

DOCKET NO. 000482-TC - Initiation of show cause proceedings against Maria E. Delgado d/b/a Global Communication for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Knight
CMP: M. Watts

ISSUE 1: Should the Commission accept the settlement offer proposed by Maria E. Delgado d/b/a Global Communication to resolve the apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries?

RECOMMENDATION: No. The Commission should not accept the company's settlement proposal. Records indicate that the company did not respond to the Commission for more than two months, instead of within 15 days as required by Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries, and staff believes that the company's proposal of \$100 to settle this proceeding is insufficient.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. With the approval of Issue 1, this docket should remain open pending the resolution of the show cause proceedings. Global must respond to the original show cause order (PSC-00-1180-SC-TC, dated June 30, 2000) within 21 days of the issuance of this Order denying the settlement. If Global fails to respond to Order No. PSC-00-1180-SC-TC and the fine is not received within ten business days after the expiration of the show cause response period, then Certificate No. 3874 should be canceled and this docket should be closed administratively.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

20**

DOCKET NO. 001109-TI - Initiation of show cause proceedings against WebNet Communications, Inc. for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Knight
CMP: M. Watts

ISSUE 1: Should the Commission order WebNet Communications, Inc. to show cause why it should not be fined \$580,000 or have certificate number 7220 canceled for apparent violation of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection?

RECOMMENDATION: Yes. The Commission should order WebNet to show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined \$580,000 or have certificate number 7220 canceled for apparent violation of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection. The company's response should contain specific allegations of fact and law. If WebNet fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period, the facts should be deemed admitted, the right to a hearing should be deemed waived and the fine should be deemed assessed. If the fine is not paid within 10 business days after the end of the 21-day response period, then, in lieu of the fine, certificate number 7220 should be canceled administratively. If the fine is paid, it should be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

20**

DOCKET NO. 001109-TI - Initiation of show cause proceedings against WebNet Communications, Inc. for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.

(Continued from previous page)

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. If staff's recommendation in Issue 1 is approved and WebNet timely responds to the Order to Show Cause, this docket should remain open pending the outcome of the show cause proceedings.

If WebNet fails to respond to the Order to Show Cause within the 21-day show cause response period and the fine is not received within ten business days after the expiration of the show cause response period, certificate number 7220 should be canceled and this docket may be closed administratively. If WebNet pays the fine recommended in Issue 1, this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

21**

DOCKET NO. 010134-TX - Initiation of show cause proceedings against Network Multi-Family Security Corporation d/b/a Priority Link for apparent violation of Section 364.183(1), F.S., Access to Company Records.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Knight
CMP: M. Watts

ISSUE 1: Should the Commission order Network Multi-Family Security Corporation d/b/a Priority Link to show cause why it should not be fined \$10,000 or certificate number 4761 should not be canceled for apparent failure to provide the Commission access to information in accordance with Section 364.183(1), Florida Statutes, Access to Company Records?
RECOMMENDATION: Yes. The Commission should order Network Multi-Family Security Corporation d/b/a Priority Link to show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined \$10,000 or have certificate number 4761 canceled for apparent failure to provide the Commission access to information in accordance with Section 364.183(1), Florida Statutes, Access to Company Records. The company's response should contain specific allegations of fact and law. If Network Multi-Family Security Corporation d/b/a Priority Link fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period, the facts should be deemed admitted, the right to a hearing should be deemed waived and the fine should be deemed assessed. If the fine is not paid within 10 business days after the end of the 21-day response period, then, in lieu of the fine, certificate number 4761 should be canceled administratively. If the fine is paid, it should be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

21**

DOCKET NO. 010134-TX - Initiation of show cause proceedings against Network Multi-Family Security Corporation d/b/a Priority Link for apparent violation of Section 364.183(1), F.S., Access to Company Records.

(Continued from previous page)

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. If staff's recommendation in Issue 1 is approved and Network Multi-Family Security Corporation d/b/a Priority Link timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceedings.

Staff recommends that if Network Multi-Family Security Corporation d/b/a Priority Link fails to respond to the Order to Show Cause within the 21-day show cause response period and the fine is not received within ten business days after the expiration of the show cause response period, then certificate number 4761 should be canceled and this docket may be closed administratively. If Network Multi-Family Security Corporation d/b/a Priority Link pays the fine recommended in Issue 1, this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

22**

DOCKET NO. 010125-TX - Initiation of show cause proceedings against Atlantic.Net Broadband, Inc. for apparent violation of Section 364.183(1), F.S., Access to Company Records.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Vaccaro
CMP: M. Watts

ISSUE 1: Should the Commission accept the settlement offer proposed by Atlantic.Net Broadband, Inc. to resolve the apparent violation of Section 364.183(1), Florida Statutes, Access to Company Records?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within ten business days from the issuance date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, certificate number 6070 should be canceled administratively. The company has waived any objections to the administrative cancellation of certificate number 6070 in the event its offer is approved by the Commission and it fails to comply with the terms of its settlement offer.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. With the approval of Issue 1, this docket should remain open pending the remittance of the \$7,000 voluntary contribution. Upon remittance of the settlement payment, this docket should be closed. If the company fails to pay in accordance with the terms of the Commission Order, certificate number 6070 should be canceled administratively, and this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

22**

DOCKET NO. 010125-TX - Initiation of show cause proceedings against Atlantic.Net Broadband, Inc. for apparent violation of Section 364.183(1), F.S., Access to Company Records.

(Continued from previous page)

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

23**PAA

DOCKET NO. 010096-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 6053 issued to Royal Payphones, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies; 25-4.043, F.A.C., Response to Commission Staff Inquiries; and 25-24.520, F.A.C., Reporting Requirements.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Fudge
CMP: Buys

ISSUE 1: Should the Commission cancel Pay Telephone Certificate No. 6053 issued to Royal Payphones, Inc. for apparent violation of Rules 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries, and 25-24.520, Florida Administrative Code, Reporting Requirements?

RECOMMENDATION: Yes. Staff recommends that the Commission cancel Royal Payphones' Pay Telephone Certificate No. 6053 for apparent violation of Rules 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries, and 25-24.520, Florida Administrative Code, Reporting Requirements. If the Proposed Agency Action is not protested within 21 days of issuance, the company's certificate should be canceled administratively upon issuance of the Consummating Order. If the past due regulatory assessment fees, including statutory penalty and interest charges, are not received within five business days after issuance of the Consummating Order, the amount shall be forwarded to the Office of the Comptroller for collection.

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

23**PAA

DOCKET NO. 010096-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 6053 issued to Royal Payphones, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies; 25-4.043, F.A.C., Response to Commission Staff Inquiries; and 25-24.520, F.A.C., Reporting Requirements.

(Continued from previous page)

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. The Order issued from this recommendation will become final upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. This docket should then be closed and Pay Telephone Certificate No. 6053 should be canceled.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

24**PAA

DOCKET NO. 001707-EU - Joint application for approval of transfer of customers by Florida Power & Light Company and Peace River Electric Cooperative, Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer PL

Staff: LEG: Isaac
SER: Breman, Lee

ISSUE 1: Should the Commission grant Florida Power & Light Company (FPL) and Peace River Electric Cooperative's (PRECO) Application for Transfer of Customers?

RECOMMENDATION: Yes. The Application for Transfer of Customers should be approved. The proposed transfer of customers is in the public interest.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>
25**	<p>DOCKET NO. 000292-WS - Notice of abandonment of water and wastewater services in Volusia County by DeBary Associates, Inc.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: RGO: Johnson LEG: Espinoza</p> <p><u>ISSUE 1</u>: Should the Commission acknowledge the appointment of Volusia County as the receiver for the utility and cancel Certificates Nos. 061-W and 060-S? <u>RECOMMENDATION</u>: Yes, the Commission should acknowledge the appointment of Volusia County as the receiver for the utility and cancel Certificates Nos. 061-W and 060-S. For purposes of determining the regulatory assessment fees (RAFs), the Commission's regulation ended on June 1, 2000. The previous owner is responsible for the RAFs for the period of January through May of 2000 and should be required to file the appropriate pages from the annual report along with its 2000 RAFs form and payment.</p> <p><u>ISSUE 2</u>: Should Docket No. 000292-WS be closed? <u>RECOMMENDATION</u>: Yes, Docket No. 000292-WS should be closed.</p>

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

26**

DOCKET NO. 001745-TP - Petition by Pilgrim Telephone, Inc. for arbitration of terms of interconnection agreement with Verizon Florida Inc. (f/k/a GTE Florida Incorporated).

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer DS

Staff: LEG: Knight
CMP: Barrett

ISSUE 1: Should the Commission grant Verizon's Motion to Dismiss?

RECOMMENDATION: No. The Commission should deny Verizon's Motion to Dismiss. Pilgrim is a telecommunications carrier as defined in Section 3(a)(49) of the Act, and is therefore entitled to file a petition for arbitration.

ISSUE 2: Should the Commission, on its own motion, decline to hear Pilgrim's Petition for Arbitration?

RECOMMENDATION: Yes. The Commission, on its own motion, should decline to hear Pilgrim's Petition for Arbitration. Staff notes that this is an issue of first impression for the Commission. Companies which have to be certificated by the Commission prior to providing telecommunications services within the state should not avail themselves of the resources of the Commission and the State of Florida without first obtaining certification.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendations in Issue 1 and Issue 2, no other issues will remain for the Commission to address in this Docket. This Docket should, therefore, be closed.

DECISION: This item was deferred to the May 2, 2001 Commission Conference.

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

27**

DOCKET NO. 001436-TP - Petition by Pilgrim Telephone, Inc. for arbitration of certain issues in interconnection agreement with BellSouth Telecommunications, Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer BZ

Staff: LEG: Knight
CMP: Barrett

ISSUE 1: Should the Commission grant BellSouth's Motion to Dismiss?

RECOMMENDATION: No. The Commission should deny BellSouth's Motion to Dismiss. Pilgrim is a telecommunications carrier as defined in Section 3(a)(49) of the Act, and is therefore entitled to file a petition for arbitration.

ISSUE 2: Should the Commission, on its own motion, decline to hear Pilgrim's Petition for Arbitration?

RECOMMENDATION: Yes. The Commission, on its own motion, should decline to hear Pilgrim's Petition for Arbitration. Staff notes that this is an issue of first impression for the Commission. Staff recommends that companies which have to be certificated by the Commission prior to providing telecommunication services within the state should not avail themselves of the resources of the Commission and the State of Florida without first obtaining certification.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendations in Issue 1 and Issue 2, no other issues will remain for the Commission to address in this Docket. This Docket should, therefore, be closed.

DECISION: This item was deferred to the May 1, 2001 Commission Conference.

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

28**

DOCKET NO. 001748-EC - Petition for determination of need for the Osprey Energy Center in Polk County by Seminole Electric Cooperative and Calpine Construction Finance Company, L.P.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer JB

Staff: LEG: Isaac, Elias
CMP: Makin
ECR: Lester, Stallcup
SER: Harlow, Bohrmann, Breman, Haff

ISSUE 1: Should Calpine's Motion for Reconsideration be granted?

RECOMMENDATION: No. Calpine has not identified any issue of fact or law that was overlooked or not considered by the Prehearing Officer in rendering the Order.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: The docket should be closed after the time for filing an appeal has run.

DECISION: The recommendations were approved.

Commissioners Jacobs and Palecki dissented.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

29**

DOCKET NO. 001049-WU - Application for original water certificate in Charlotte County by Little Gasparilla Water Utility, Inc.

Critical Date(s): 4/17/01 (90-day statutory deadline to rule on application)

Commissioners Assigned: Full Commission
Prehrg Officer JB

Staff: RGO: Johnson, Redemann
ECR: Mailhot
LEG: Gervasi

ISSUE 1: Should Gasparilla be ordered to show cause, in writing within 21 days, why it should not be fined for operating without a certificate in apparent violation of Section 367.031, Florida Statutes, and Order No. PSC-96-0460-FOF-WS?

RECOMMENDATION: No. Show cause proceedings should not be initiated. However, the utility should be put on notice that it may not sell, assign, or transfer its certificate of authorization, facilities or any portion thereof, or majority organizational control without prior Commission approval unless the contract for sale, assignment, or transfer is made contingent upon Commission approval, pursuant to 367.071, Florida Statutes.

ISSUE 2: Should Gasparilla be ordered to show cause, in writing within 21 days, why it should not be fined for failure to file its 1999 annual report in apparent violation of Rule 25-30.110, Florida Administrative Code?

RECOMMENDATION: No. Show cause proceedings should not be initiated at this time. Staff further recommends that the penalties set forth in Rule 25-30.110(7), Florida Administrative Code, should not be assessed. However, Gasparilla should be required to file its 1999 annual report by June 1, 2001. If Gasparilla fails to do so, staff will bring a show cause recommendation at that time. Moreover, the utility should be put on notice that penalties, if assessed, continue to accrue until such time as the annual report is filed and that the annual report must comply with Rule 25-30.110, Florida Administrative Code, including

ITEM NO.

CASE

29**

DOCKET NO. 001049-WU - Application for original water certificate in Charlotte County by Little Gasparilla Water Utility, Inc.

(Continued from previous page)

compliance with the National Association of Regulatory Utility Commissioners Uniform System of Accounts (NARUC USA), which requires the use of original costs to report the cost of the utility's assets when it was first dedicated to public service. Additionally, the utility should be put on notice its 2000 annual report is due on March 31, 2001, unless a written request for an extension of time is filed by that date.

ISSUE 3: Should Gasparilla be ordered to show cause, in writing within 21 days, why it should not be fined for failure to timely pay RAFs for 1999, in apparent violation of Sections 350.113(3)(e) and 367.145, Florida Statutes, and Rule 25-30.120(1), Florida Administrative Code?

RECOMMENDATION: No. Show cause proceedings should not be initiated at this time. However, Gasparilla should be required to remit RAFs in the amount of \$4,327.87 for 1999 by June 1, 2001, along with a statutory penalty in the amount of \$1,081.97 and \$649.18 in interest, for its failure to timely pay its 1999 RAFs. If Gasparilla fails to do so, staff will bring a show cause recommendation at that time. In addition, the utility should be put on notice that interest continues to accrue until such time as the 1999 RAFs are remitted and that the utility's 2000 RAFs are due on March 31, 2001.

ISSUE 4: Should Gasparilla's application for an original water certificate be granted?

RECOMMENDATION: Yes. Gasparilla should be granted Water Certificate No. 615-W to serve the territory described in Attachment A of staff's March 22, 2001 memorandum.

PAA

ISSUE 5: What rates and charges should be approved for Gasparilla?

RECOMMENDATION: The utility's existing rates and charges and the proposed meter test deposits and miscellaneous service charges for Gasparilla should be approved as the original tariff rates, until authorized to change in a subsequent proceeding. The effective date of the utility's

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

29**

DOCKET NO. 001049-WU - Application for original water certificate in Charlotte County by Little Gasparilla Water Utility, Inc.

(Continued from previous page)

rates and charges should be the stamped approval date on the tariff sheet.

ISSUE 6: Should the docket be closed?

RECOMMENDATION: No. This docket should remain open in order for staff to verify that the utility has filed its 1999 annual report and remitted its 1999 RAFs, including penalties and interest. If the annual report is so filed and RAFs, penalties, and interest are so remitted, this docket should be closed administratively.

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>
30**	<p>DOCKET NO. 001138-WS - Application for amendment of Certificate Nos. 277-W and 223-S to add territory in Seminole County by CWS Communities LP d/b/a Palm Valley.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: RGO: Redemann LEG: Espinoza</p>
PAA	<p><u>ISSUE 1</u>: Should Order No. PSC-00-2243-PAA-WS be modified to approve a new class of service for general service reclaimed water?</p> <p><u>RECOMMENDATION</u>: Yes. Order No. PSC-00-2243-PAA-WS should be modified to reflect a general service rate of \$0 for reclaimed water service, rather than a residential service rate of \$0 for reclaimed water service. Staff should be given the authority to administratively approve the tariff provided it is consistent with the Commission's decision. Staff recommends that the tariff should be effective for services rendered on or after the stamped approval date of the tariff. The utility should be required to return to the Commission for a determination regarding the rates for reclaimed water service prior to providing reclaimed water service to any other customers. Order No. PSC-00-2243-PAA-WS should be affirmed in all other respects.</p> <p><u>ISSUE 2</u>: Should this docket be closed?</p> <p><u>RECOMMENDATION</u>: Yes. If no timely protest is received to the Proposed Agency Action issue, the Order should become final and effective upon the issuance of a Consummating Order and the docket should be closed.</p> <p><u>DECISION</u>: The recommendations were approved.</p> <p>Commissioners participating: Jacobs, Deason, Jaber, Baez, Palecki</p>

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

31 DOCKET NO. 991854-TP - Petition of BellSouth Telecommunications, Inc. for Section 252(b) arbitration of interconnection agreement with Intermedia Communications, Inc. (Deferred from the March 13, 2001 Commission Conference; revised recommendation filed.)

Critical Date(s): None

Commissioners Assigned: JC JB
Prehrg Officer JC

Staff: CMP: King, Dowds, Hinton, Watts
LEG: Vaccaro

(Oral Argument Requested.)

ISSUE 1: Should the Commission grant Intermedia Communications, Inc.'s Request for Oral Argument?

RECOMMENDATION: No. The Commission should deny Intermedia Communications, Inc.'s Request for Oral Argument.

DECISION: The recommendation was denied. Oral argument was allowed, with each side allowed five minutes.

ISSUE 2: Should the Commission grant Intermedia Communications, Inc.'s Motion for Reconsideration and Clarification?

RECOMMENDATION: No. The Commission should deny Intermedia Communications, Inc.'s Motion for Reconsideration and Clarification.

DECISION: The recommendation was approved with the understanding that the sentence will be clarified (as discussed in the conference), and staff will meet with parties to resolve FX issues. Further, discussion at the conference will be included in the order.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. This docket should be closed.

DECISION: The recommendation was approved.

Commissioners participating: Jacobs, Jaber

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

31 DOCKET NO. 991854-TP - Petition of BellSouth
Telecommunications, Inc. for Section 252(b) arbitration of
interconnection agreement with Intermedia Communications,
Inc. Deferred from the March 13, 2001 Commission
Conference - revised recommendation filed.)

(Continued from previous page)

<u>ITEM NO.</u>	<u>CASE</u>
32	<p>DOCKET NO. 991643-SU - Application for increase in wastewater rates in Seven Springs System in Pasco County by Aloha Utilities, Inc.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: JC JB BZ Prehrg Officer JB</p> <p>Staff: LEG: Fudge, Jaeger ECR: Willis, Crouch, Fletcher</p> <p>(Participation on Issue 2 dependent upon vote on Issue 1; participation on Issues 3, 4, 5, and 6 limited to Commissioners and staff.)</p> <p><u>ISSUE 1</u>: Should the Office of Public Counsel's Request for Oral Argument be granted? RECOMMENDATION: Yes. Oral argument should be allowed on the Office of Public Counsel's Motion for Reconsideration. Pursuant to Rule 25-22.058, Florida Administrative Code, oral argument should be limited to 15 minutes for each party.</p> <p><u>ISSUE 2</u>: Should the Office of Public Counsel's Motion for Reconsideration be granted? RECOMMENDATION: No. The Office of Public Counsel has failed to identify that there has been a mistake of fact or law, or a point of fact or law which was overlooked or which the Commission failed to consider in rendering its order on either of the two issues cited. Therefore, staff recommends that the Commission deny OPC's Motion for Reconsideration.</p> <p><u>ISSUE 3</u>: Should Aloha's Cross Motion for Reconsideration be granted? RECOMMENDATION: Aloha's Cross Motion for Reconsideration should be granted in part and denied in part. The portion of Aloha's Cross Motion requesting reconsideration on the office building, stricken supplemental rebuttal testimony, and treatment of contributed taxes should be denied. However, that portion of Aloha's Cross Motion requesting reconsideration on rate case expense should be granted in part and an additional \$6,050 of rate case expense should be approved. The additional rate case expense grossed up for regulatory assessment fees has no effect upon the rates</p>

ITEM NO.

CASE

32

DOCKET NO. 991643-SU - Application for increase in wastewater rates in Seven Springs System in Pasco County by Aloha Utilities, Inc.

(Continued from previous page)

previously approved in Order No. PSC-01-0326-FOF-SU. This approach has not been taken for rate case expense associated with a Motion for Reconsideration.

ISSUE 4: What action, if any, should the Commission take on the February 24, 2001, letter from Mr. Edward Wood?

RECOMMENDATION: The Commission should take no action on Mr. Wood's letter.

ISSUE 5: Should the Commission release the funds escrowed pursuant to Order No. PSC-01-0130-FOF-SU issued on January 17, 2001?

RECOMMENDATION: The Commission should release that portion of the escrowed funds which represents the increases granted by Order No. PSC-01-0326-FOF-SU issued on February 6, 2001. Pending Aloha Utilities, Inc., reducing its rates to the appropriate final rates, Aloha should continue to escrow 6.5% of its revenues, and only 93.5% of the revenues currently in the escrow account should be released. The remaining amount should be released upon staff's verification that the refunds have been made and that Aloha Utilities, Inc., is charging the rates approved in Order No. PSC-01-0326-FOF-SU.

ISSUE 6: Should this docket be closed?

RECOMMENDATION: Yes. All pending motions have been resolved and this docket should be closed in accordance with the requirements of Order No. PSC-01-0326-FOF-SU.

DECISION: The recommendations were approved. Further, oral argument was allowed on Aloha's cross-motion for reconsideration.

Commissioners participating: Jacobs, Jaber, Baez

Minutes of
Commission Conference
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>
33**	<p>DOCKET NO. 000061-EI - Complaint by Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2), and 366.07, F.S., with respect to rates offered under commercial/industrial service rider tariff; petition to examine and inspect confidential information; and request for expedited relief.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: JC JB BZ Prehrg Officer JC</p> <p>Staff: LEG: Stern, Elias ECR: E. Draper</p> <p><u>ISSUE 1</u>: Should the Settlement Agreement between TECO and Allied be approved? <u>RECOMMENDATION</u>: Yes.</p> <p><u>DECISION</u>: The recommendation was approved with the understanding that there will be further discussion on the narrow area of the motion to strike. Further, all prefiled testimony, deposition testimony, and exhibits, and all discovery, will be moved into the record.</p> <p><u>ISSUE 2</u>: Should this docket be closed? <u>RECOMMENDATION</u>: If the Commission approves a Settlement Agreement, the docket should be closed. If the Commission does not approve a Settlement Agreement, the docket should remain open.</p> <p><u>DECISION</u>: The recommendation was denied. The docket will remain open pending further discussion on the narrow area of the motion to strike.</p> <p>Commissioners participating: Jacobs, Jaber, Baez</p>

ITEM NO.

CASE

34**

DOCKET NO. 981488-TI - Initiation of show cause proceedings against Accutel Communications, Inc. for Unlawful Billing Practices in violation of Section 364.10(1) and Section 364.604(2), F.S., and Insufficient Management Capability pursuant to Section 364.337(3), F.S.

Critical Date(s): None

Commissioners Assigned: JC JB PL
Prehrg Officer JB

Staff: LEG: Fordham
CMP: Williams

ISSUE 1: Should the Commission, on its own motion, dismiss Accutel's September 8, 1999 Response to Order to Show Cause? RECOMMENDATION: Yes. Accutel has failed to diligently pursue its Response to Order to Show Cause and has failed to comply with any aspect of the Order Establishing Procedure for this docket. In accordance with Order No. PSC-99-2496-PCO-TI, Accutel has waived the right to present any testimony, to raise any additional issues, and its position on the issues. Staff recommends, therefore, that Accutel's Response to Order to Show Cause be dismissed.

ISSUE 2: Should the Commission require Accutel to pay the \$1,710,000 fine identified in Order No. PSC-97-1619-SC-TI? RECOMMENDATION: Yes. Accutel has failed to show cause why it should not be fined in the amount of \$10,000 per infraction for a total of \$1,710,000 for its apparent violations of Sections 364.10 (1) and 364.604(2), Florida Statutes, Unlawful Billing Practices, and for Insufficient Management Capability, pursuant to Section 364.337(3), Florida Statutes. Therefore, the fine should be deemed assessed. If the fine is not received within 10 days of the issuance of the Commission's order, the fine should be forwarded to the Office of the Comptroller for further collection efforts.

ISSUE 3: Should this Docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendations in Issues 1 and 2, this Docket will require no further action, and may be closed.

ITEM NO.

CASE

DECISION: The recommendations were approved.

Commissioners participating: Jacobs, Jaber, Palecki
35** DOCKET NO. 001305-TP - Petition by BellSouth
Telecommunications, Inc. for arbitration of certain issues
in interconnection agreement with Supra Telecommunications
and Information Systems, Inc.

Critical Date(s): None

Commissioners Assigned: JC BZ PL
Prehrg Officer PL

Staff: LEG: Knight
CMP: Dowds

ISSUE 1: Should the Commission grant Supra's Motion to
Dismiss The Petition for Arbitration?

RECOMMENDATION: No. The Commission should deny Supra's
Motion to Dismiss. The Commission has subject matter
jurisdiction over arbitration cases pursuant to Section
252(b)(1) of the Telecommunications Act of 1996.

ISSUE 2: Should the Commission, on its own motion, continue
this arbitration until such time as the parties have
complied with the term of their agreement calling for the
convening of an Inter-Company Review Board meeting to
discuss any and all disputed issues?

RECOMMENDATION: Yes. The Commission, on its own motion,
should continue this proceeding until the parties have
complied with the term of their agreement calling for the
convening of an Inter-Company Review Board meeting to
discuss any and all disputed issues.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: No. If the Commission approves staff's
recommendation in Issues 1 and 2, the docket should remain
open pending the parties convening an Inter-Company Review
Board meeting within 45 days of the issuance of the order
from this recommendation. Within 10 days of the completion
of the meeting, the parties should notify the Commission as
to any outstanding issues. The Commission should then
schedule all matters necessary for the completion of the
docket.

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

35**

DOCKET NO. 001305-TP - Petition by BellSouth
Telecommunications, Inc. for arbitration of certain issues
in interconnection agreement with Supra Telecommunications
and Information Systems, Inc.

(Continued from previous page)

DECISION: This item was deferred to a later Commission Conference.

ITEM NO.

CASE

36 DOCKET NO. 950387-SU - Application for a rate increase for North Ft. Myers Division in Lee County by Florida Cities Water Company - Lee County Division.

Critical Date(s): None

Hearing Date(s): Available upon request

Commissioners Assigned: DS BZ PL
Prehrg Officer DS

Staff: ECR: Merchant
LEG: Jaeger

(Participation Dependent on Vote in Issue 1.)

ISSUE 1: Should FCWC's request for oral argument on its Motion to Approve Refund Methodology be granted?

RECOMMENDATION: Yes. Because of the unusual circumstances surrounding this refund proceeding, the subsequent sale of the utility, and the delay brought about by the appeal of the Final Order on Remand, staff believes that oral argument would aid the Commission in comprehending and evaluating the issues before it. Therefore, staff recommends that the utility's request for oral argument should be granted. Pursuant to Rule 25-22.058(2), Florida Administrative Code, oral argument should be limited to ~~15~~ 5 minutes for each party.

ISSUE 2: Should FCWC's Motion to Approve Refund Methodology be granted?

RECOMMENDATION: FCWC's Motion to Approve Refund Methodology should be granted in part and denied in part. The refunds should be made on a per customer basis as set forth in Rule 25-30.360(3), Florida Administrative Code. However, the utility's request to compute the refunds using a multiplier of 10.6% should be denied, and the refund multipliers and periods should be as directed in the Final Order on Remand. Refund checks should be mailed to the last known address of customers due a refund that were on the system as of November 13, 1999, which is approximately eighteen months prior to the date that refund checks are required to be mailed. The utility should complete the initial mailing of the refund checks to customers within 30 days of the

ITEM NO.

CASE

36 DOCKET NO. 950387-SU - Application for a rate increase for North Ft. Myers Division in Lee County by Florida Cities Water Company - Lee County Division.

(Continued from previous page)

issuance date of the Order. Moreover, the noticing requirements should be as set forth in the body of the recommendation. The noticing requirements should be completed within 45 days of the issuance date of the Order. Checks should be issued to former customers that respond to the noticing requirements within 10 days of receiving verification that the customer deserves a refund. Based upon changed circumstances, the Commission should recede from its prior decision made in the Final Order on Remand which requires all unclaimed refunds to be treated as cash CIAC, and the utility's request to treat any unclaimed refunds as cash CIAC should be denied. FCWC's proposal to calculate interest pursuant to Rule 25-30.360(4), Florida Administrative Code, and to submit refund reports pursuant to the requirements of Rule 25-30.360(7), Florida Administrative Code, should be approved. The utility's request to offset the costs of the refund against any unclaimed refunds should be denied. All unclaimed refunds after 180 days of the issuance date of the order should be remitted to the State of Florida Comptroller's Office.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: No. This docket should remain open in order for the utility to complete the refund, and submit the refund reports, and for Commission staff's verification that the refund is complete and that any unclaimed refunds have been remitted to the State of Florida's Office of Comptroller within 180 days of the date of the order, as set forth in Issue 2. Staff should be allowed to close the docket administratively upon completion of the above.

DECISION: The recommendations were approved with the noted modification to Issue 1.

Commissioners participating: Deason, Baez, Palecki

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

37**

DOCKET NO. 990108-TP - Request for arbitration concerning complaint of The Other Phone Company, Inc. d/b/a Access One Communications against BellSouth Telecommunications, Inc. regarding breach of resale agreement.

Critical Date(s): None

Commissioners Assigned: JB BZ
Prehrg Officer BZ

Staff: LEG: Fordham
CMP: Hinton

ISSUE 1: Should the Commission grant BellSouth's Motion to Dismiss Complaint?

RECOMMENDATION: Yes. Access One has failed to diligently pursue its Complaint and the Complaint should be dismissed.

ISSUE 2: Should this Docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, this Docket will require no further action, and may be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jaber, Baez

ITEM NO.

CASE

38**

DOCKET NO. 000277-WS - Application for transfer of facilities and Certificates Nos. 353-W and 309-S in Lee County from MHC Systems, Inc. d/b/a FFEC-Six to North Fort Myers Utility, Inc., holder of Certificate No. 247-S; amendment of Certificate No. 247-S; and cancellation of Certificate No. 309-S.

Critical Date(s): None

Commissioners Assigned: JB BZ PL
Prehrg Officer JB

Staff: RGO: Johnson, Redemann
LEG: Cibula

ISSUE 1: Should the Commission grant the Joint Motion to Approve Settlement Agreement filed by North Fort Myers Utility, Inc., MHC Systems, Inc., Alexander William Varga, Pine Lakes Estates Homeowners Association, Inc., and Pine Lakes Homeowners Association, II, Inc.?

RECOMMENDATION: Yes. The Commission should grant the Joint Motion to Approve Settlement Agreement. The Settlement Agreement should be approved in its entirety.

ISSUE 2: Should the transfer of facilities and Certificate No. 353-W from MHC Systems, Inc. d/b/a FFEC-SIX to North Fort Myers Utility, Inc., amendment of Certificate No. 247-S and cancellation of Certificate No. 309-S, be approved?

RECOMMENDATION: Yes. The transfer of facilities and Certificate No. 353-W from MHC Systems, Inc. d/b/a FFEC-SIX to North Fort Myers Utility, Inc. should be approved. North Fort Myers Utility, Inc.'s Certificate No. 247-S should be amended and Certificate No. 309-S should be canceled. The water and wastewater territory descriptions are described in Attachment B of staff's March 22, 2001 memorandum. MHC should be responsible for payment of all regulatory assessment fees through February 29, 2000. NFMU should be responsible for payment of all regulatory assessment fees due from March 1, 2000 forward. MHC should provide NFMU the information needed in preparing the 2000 Annual Report. NFMU should be responsible for filing the 2000 Annual Report.

Minutes of
Commission Conference
April 3, 2001

ITEM NO.

CASE

38**

DOCKET NO. 000277-WS - Application for transfer of facilities and Certificates Nos. 353-W and 309-S in Lee County from MHC Systems, Inc. d/b/a FFEC-Six to North Fort Myers Utility, Inc., holder of Certificate No. 247-S; amendment of Certificate No. 247-S; and cancellation of Certificate No. 309-S.

(Continued from previous page)

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. No further action is required; therefore, this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jaber, Baez, Palecki

Table of Contents
 Commission Conference Agenda
 April 3, 2001

ITEM NO.	CASE	PAGE
1	Approval of Minutes	2
2**	Consent Agenda	2
3	DOCKET NO. 010113-WS - Petition for declaratory statement by Florida Water Services Corporation that proposed provision of emergency backup water service to residences in St. John County by the Flagler County systems of Florida Water Services Corporation does not constitute service which transverses county boundaries under Section 367.171(7), F.S.	6
4**	DOCKET NO. 001493-TX - Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 7238 issued to Advanced Digital Information Systems, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.	7
5**	DOCKET NO. 001207-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 2494 issued to Group Long Distance, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.	8
6**	Cancellation by Florida Public Service Commission of interexchange telecommunications certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. DOCKET NO. 001264-TI - Telscape USA, Inc. DOCKET NO. 001300-TI - Discount Utilities, LLC.	9

Table of Contents
Commission Conference Agenda
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>	<u>PAGE</u>
7**	DOCKET NO. 001296-TI - Cancellation by Florida Public Service Commission of IXC Certificate No. 3123 issued to Evercom Systems, Inc. d/b/a Correctional Billing Services for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.	10

Table of Contents
 Commission Conference Agenda
 April 3, 2001

ITEM NO.	CASE	PAGE
8**PAA	DOCKET NO. 001313-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 5696 issued to Twister Communications Network, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated.	11
9**PAA	DOCKET NO. 010083-TL - Request for temporary waiver of physical collocation in the Atlantic RSM central office by BellSouth Telecommunications, Inc.	12
10**	DOCKET NO. 001287-EI - Petition for approval of a special contract with IMC Phosphates Company for provision of interruptible electric service by Tampa Electric Company.	13
11**PAA	DOCKET NO. 001806-WU - Petition for limited proceeding to increase rates in Nassau County by Florida Public Utilities Company (Fernandina Beach System).	14
12**PAA	DOCKET NO. 010168-WU - Application for limited proceeding emergency, temporary, and permanent increase in water rates to customers in Seven Springs service area in Pasco County, by Aloha Utilities, Inc.	15
13**	DOCKET NO. 010232-WU - Request for approval of tariff filing to add "set rate" late fee to water tariff, by Lake Yale Treatment Associates, Inc. in Lake County	16
14**	DOCKET NO. 010288-EI - Complaint of Michelle P. Ohlson against Florida Power Corporation for alleged improper backbilling.	17
15**	DOCKET NO. 001066-TI - Initiation of show cause proceedings against America's Tele-Network Corp. for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection	
	DOCKET NO. 001813-TX - Initiation of show cause proceedings against America's Tele-Network Corp. for	

Table of Contents
 Commission Conference Agenda
 April 3, 2001

ITEM NO.	CASE	PAGE
	apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.	18
16**	DOCKET NO. 010245-TI - Initiation of show cause proceedings against OLS, Inc. for apparent violations of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection, and fine assessment for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.	20
17**	DOCKET NO. 010132-TX - Initiation of show cause proceedings against International Telcom, Ltd. for apparent violation of Section 364.183(1), F.S., Access to Company Records.	22
18**	DOCKET NO. 001353-TI - Initiation of show cause proceedings against Labree Management, Inc. for apparent violation of Rule 25-24.640(1)(f), F.A.C., Service Requirements for Call Aggregators.	23
19**	DOCKET NO. 000482-TC - Initiation of show cause proceedings against Maria E. Delgado d/b/a Global Communication for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.	24
20**	DOCKET NO. 001109-TI - Initiation of show cause proceedings against WebNet Communications, Inc. for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.	25
21**	DOCKET NO. 010134-TX - Initiation of show cause proceedings against Network Multi-Family Security Corporation d/b/a Priority Link for apparent violation of Section 364.183(1), F.S., Access to Company Records.	27
22**	DOCKET NO. 010125-TX - Initiation of show cause proceedings against Atlantic.Net Broadband, Inc. for apparent violation of Section 364.183(1), F.S., Access to Company Records.	29

Table of Contents
 Commission Conference Agenda
 April 3, 2001

ITEM NO.	CASE	PAGE
23**	PAADOCKET NO. 010096-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 6053 issued to Royal Payphones, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies; 25-4.043, F.A.C., Response to Commission Staff Inquiries; and 25-24.520, F.A.C., Reporting Requirements.	30
24**PAA	DOCKET NO. 001707-EU - Joint application for approval of transfer of customers by Florida Power & Light Company and Peace River Electric Cooperative, Inc.	32
25**	DOCKET NO. 000292-WS - Notice of abandonment of water and wastewater services in Volusia County by DeBary Associates, Inc.	33
26**	DOCKET NO. 001745-TP - Petition by Pilgrim Telephone, Inc. for arbitration of terms of interconnection agreement with Verizon Florida Inc. (f/k/a GTE Florida Incorporated).	34
27**	DOCKET NO. 001436-TP - Petition by Pilgrim Telephone, Inc. for arbitration of certain issues in interconnection agreement with BellSouth Telecommunications, Inc.	35
28**	DOCKET NO. 001748-EC - Petition for determination of need for the Osprey Energy Center in Polk County by Seminole Electric Cooperative and Calpine Construction Finance Company, L.P.	36
29**	DOCKET NO. 001049-WU - Application for original water certificate in Charlotte County by Little Gasparilla Water Utility, Inc.	37
30**	DOCKET NO. 001138-WS - Application for amendment of Certificate Nos. 277-W and 223-S to add territory in Seminole County by CWS Communities LP d/b/a Palm Valley.	40
31	DOCKET NO. 991854-TP - Petition of BellSouth Telecommunications, Inc. for Section 252(b)	

Table of Contents
 Commission Conference Agenda
 April 3, 2001

ITEM NO.	CASE	PAGE
	arbitration of interconnection agreement with Intermedia Communications, Inc.	41
32	DOCKET NO. 991643-SU - Application for increase in wastewater rates in Seven Springs System in Pasco County by Aloha Utilities, Inc.	42
33**	DOCKET NO. 000061-EI - Complaint by Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2), and 366.07, F.S., with respect to rates offered under commercial/industrial service rider tariff; petition to examine and inspect confidential information; and request for expedited relief.	44
34**	DOCKET NO. 981488-TI - Initiation of show cause proceedings against Accutel Communications, Inc. for Unlawful Billing Practices in violation of Section 364.10(1) and Section 364.604(2), F.S., and Insufficient Management Capability pursuant to Section 364.337(3), F.S.	45
35**	DOCKET NO. 001305-TP - Petition by BellSouth Telecommunications, Inc. for arbitration of certain issues in interconnection agreement with Supra Telecommunications and Information Systems, Inc.	46
36	DOCKET NO. 950387-SU - Application for a rate increase for North Ft. Myers Division in Lee County by Florida Cities Water Company - Lee County Division.	47
37**	DOCKET NO. 990108-TP - Request for arbitration concerning complaint of The Other Phone Company, Inc. d/b/a Access One Communications against BellSouth Telecommunications, Inc. regarding breach of resale agreement.	49
38**	DOCKET NO. 000277-WS - Application for transfer of facilities and Certificates Nos. 353-W and 309-S in Lee County from MHC Systems, Inc. d/b/a FFEC-Six to North Fort Myers Utility, Inc., holder of Certificate	

Table of Contents
Commission Conference Agenda
April 3, 2001

<u>ITEM NO.</u>	<u>CASE</u>	<u>PAGE</u>
	No. 247-S; amendment of Certificate No. 247-S; and cancellation of Certificate No. 309-S.	50