

**MINUTES OF  
COMMISSION CONFERENCE, TUESDAY, MARCH 28, 2000  
COMMENCED: 9:30 a.m.  
ADJOURNED: 12 noon**

**COMMISSIONERS PRESENT:** Chairman Garcia  
Commissioner Deason  
Commissioner Clark  
Commissioner Jacobs  
Commissioner Jaber

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1 Approval of Minutes  
February 1, 2000 Commission Conference

DECISION: The minutes were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

2 Consent Agenda

A) Applications for certificates to provide pay telephone service.

DOCKET NO. 000181-TC - Paras Enterprises, Inc.  
DOCKET NO. 000224-TC - LoneStar Telcom, Inc.  
DOCKET NO. 000225-TC - ZoTel, Inc.  
DOCKET NO. 000226-TC - Tyrone Joseph Clinton d/b/a  
Clinton Enterprises  
DOCKET NO. 000240-TC - TranStar Communications, Inc.  
DOCKET NO. 991882-TC - Pinellas County Call Center  
Services, Inc.  
DOCKET NO. 991883-TC - Telephones Calling Services  
Corporation  
DOCKET NO. 000255-TC - M & B Telcom, Inc.  
DOCKET NO. 000265-TC - Naples Dial Tone & Telephone Inc.  
DOCKET NO. 000281-TC - Vanetta Thomas and David Wells  
d/b/a 1 Accord Investments  
DOCKET NO. 000283-TC - Leisure Lake Co-Op, Inc.  
DOCKET NO. 000297-TC - Jack F. Scharf

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

DOCKET NO. 992034-TX - CoreComm Florida, Inc.  
DOCKET NO. 991439-TX - Southern ReConnect, Inc.  
DOCKET NO. 000077-TX - MY-TEL INC.  
DOCKET NO. 000182-TX - Lindsey L. Harris d/b/a H & L  
Taxhaus Communications

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DOCKET NO. 000212-TX - Allied Riser of Florida, Inc.  
DOCKET NO. 000158-TX - Florida Consolidated Multi-Media  
Services, Inc.  
DOCKET NO. 000058-TX - Genesis Communications  
International, Inc.  
DOCKET NO. 991661-TX - Claricom Networks, Inc. d/b/a  
Staples Communications-Networks  
DOCKET NO. 000162-TX - TelNet.com, Inc.

C) Applications for certificates to provide interexchange  
telecommunications service.

DOCKET NO. 000025-TI - TotalAxxcess.com, Inc.  
DOCKET NO. 000132-TI - TeleManagement Systems, Inc.  
DOCKET NO. 000057-TI - Genesis Communications  
International, Inc.  
DOCKET NO. 991646-TI - Telemanagement Services, Inc.  
DOCKET NO. 991904-TI - Paramount International  
Telecommunications, Inc. d/b/a R  
Network  
DOCKET NO. 000049-TI - ACN Communication Services, Inc.  
DOCKET NO. 000071-TI - Total Call International, Inc.  
DOCKET NO. 000196-TI - USA Digital, Inc.  
DOCKET NO. 991543-TI - United Technological Systems, Inc.

D) Requests for cancellation of pay telephone certificates.

DOCKET NO. 000193-TC - Darryl Harris  
DOCKET NO. 000122-TC - Frank M. McHugh  
DOCKET NO. 000123-TC - CoinTel Communications, Inc.  
DOCKET NO. 000124-TC - Dintel Communications, Inc.  
DOCKET NO. 000192-TC - Dandy Enterprises  
DOCKET NO. 000207-TC - Gold Coast Phones, Inc.  
DOCKET NO. 000244-TC - Coin Star Communications, Inc.  
DOCKET NO. 000274-TC - Milton Fried  
DOCKET NO. 000296-TC - Jeff W. Wilhelm d/b/a Gecko Public  
Pay Phone

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E) DOCKET NO. 000187-TX - Request for cancellation of Alternative Local Exchange Telecommunications Certificate No. 7061 by The John Galt Telephone Company, effective February 9, 2000.

F) Requests for cancellation of interexchange telecommunications certificates.

DOCKET NO. 000243-TI - CendantCom, Inc.

DOCKET NO. 000186-TI - LECNet, Inc.

DOCKET NO. 000260-TI - KCI Long Distance, Inc.

G) DOCKET NO. 000138-TP - Request by BellSouth Telecommunications, Inc. for approval of collocation agreement with Avana Communications Corporation d/b/a AvanaCom.

(Critical Date: 5/3/00)

H) Requests for approval of interconnection agreements

DOCKET NO. 000059-TP - BellSouth Telecommunications, Inc. with Airpaging Communications, Inc.

(Critical Date: 4/19/00)

DOCKET NO. 000093-TP - GTE Florida Incorporated with JATO Operating Two Corp.

(Critical Date: 4/25/00)

I) DOCKET NO. 000107-TP - Petition by Sprint-Florida, Incorporated for approval of amendment to interconnection agreement with MCImetro Access Transmission Services LLC.

(Critical Date: 4/27/00)

J) Requests for approval of interconnection, unbundling, and resale agreements.

DOCKET NO. 000040-TP - GTE Florida Incorporated with Prism Florida Operations, LLC.

(Critical Date: 4/11/00)

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DOCKET NO. 000139-TP - BellSouth Telecommunications, Inc.  
with Avana Cmmunications  
Corporation d/b/a AvanaCom.  
(Critical Date: 5/3/00)

K) Requests for approval of renegotiated resale agreements.

DOCKET NO. 000097-TP - BellSouth Telecommunications, Inc.  
with APPLIANCE & TV RENTALS, INC.  
d/b/a Fones-4-U.  
(Critical Date: 4/25/00)

DOCKET NO. 000100-TP - BellSouth Telecommunications, Inc.  
with Gulf Coast Communications,  
Inc.  
(Critical Date: 4/25/00)

L) DOCKET NO. 000056-TP - Request by BellSouth  
Telecommunications, Inc. for approval of interconnection,  
unbundling, resale, and collocation agreement with  
BlueStar Networks, Inc.

(Critical Date: 4/18/00)

M) Requests for approval of amendments to interconnection,  
unbundling, resale, and collocation agreements.

DOCKET NO. 000095-TP - BellSouth Telecommunications, Inc.  
with IntraLEC, Inc.  
(Critical Date: 4/25/00)

DOCKET NO. 000137-TP - BellSouth Telecommunications, Inc.  
with Metromedia Fiber Network  
Services, Inc.  
(Critical Date: 5/3/00)

DOCKET NO. 000144-TP - BellSouth Telecommunications, Inc.  
with New Edge Network, Inc. d/b/a  
New Edge Networks  
(Critical Date: 5/4/00)

N) Requests for approval of resale agreements.

DOCKET NO. 000048-TP - Universal Telecom, Inc. and ALLTEL  
Florida, Inc.

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- DOCKET NO. 000086-TP - Sprint-Florida, Incorporated with Frontier Telemanagement, Inc.  
(Critical Date: 4/17/00)
- DOCKET NO. 000087-TP - Sprint-Florida, Incorporated with Nexstar Communications, Inc.  
(Critical Date: 4/24/00)
- DOCKET NO. 000088-TP - Sprint-Florida, Incorporated with Source One Communications, Inc.  
(Critical Date: 4/24/00)
- DOCKET NO. 000098-TP - BellSouth Telecommunications, Inc. with Pre-Cell Solutions/Family Phone Service, Inc.  
(Critical Date: 4/25/00)
- DOCKET NO. 000134-TP - Sprint-Florida, Incorporated with One Lone Star Communications, Inc.  
(Critical Date: 5/3/00)

O) Requests for approval of amendments to resale agreements.

- DOCKET NO. 000038-TP - GTE Florida Incorporated with U.S. Telco, Inc.  
(Critical Date: 4/11/00)
- DOCKET NO. 000039-TP - GTE Florida Incorporated with 1-800-RECONEX, Inc.  
(Critical Date: 4/11/00)
- DOCKET NO. 000135-TP - BellSouth Telecommunications, Inc. with Universal Telecom, Inc.  
(Critical Date: 5/3/00)
- DOCKET NO. 000136-TP - BellSouth Telecommunications, Inc. with Comm South Companies, Inc.  
(Critical Date: 5/3/00)
- DOCKET NO. 000146-TP - BellSouth Telecommunications, Inc. with OmniCall, Inc.  
(Critical Date: 5/4/00)

P) Requests for approval of amendments to interconnection, unbundling and resale agreements.

- DOCKET NO. 000096-TP - BellSouth Telecommunications, Inc. with DSLnet Communications, LLC

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- (Critical Date: 4/25/00)  
DOCKET NO. 000101-TP - BellSouth Telecommunications, Inc.  
with OnePoint Communications-  
Georgia, LLC d/b/a OnePoint  
Communications  
(Critical Date: 4/25/00)  
DOCKET NO. 000143-TP - BellSouth Telecommunications, Inc.  
with Rhythms Links, Inc.  
(Critical Date: 5/4/00)  
DOCKET NO. 000145-TP - BellSouth Telecommunications, Inc.  
with Adelphia Business Solutions  
of Florida, LLC  
(Critical Date: 5/4/00)  
DOCKET NO. 000147-TP - BellSouth Telecommunications, Inc.  
with CCCFL, Inc. d/b/a Connect!  
(Critical Date: 5/4/00)
- Q) DOCKET NO. 000285-TP - Petition of NEXTLINK Florida, Inc.  
(holder of IXC Certificate No. 3505 and ALEC Certificate  
No. 5648) for approval of pro forma transfer of control  
of NEXTLINK Florida, Inc. from NEXTLINK Communications,  
Inc. to NM Acquisition Corp.
- R) DOCKET NO. 000180-TX - Request for approval of asset  
purchase agreement whereby NOW Communications, Inc.  
(holder of ALEC Certificate No. 5652) will purchase, and  
Tel-Link, L.L.C. (holder of ALEC Certificate No. 4849)  
will sell, all assets of Tel-Link.
- S) DOCKET NO. 000133-TP - Request for approval of merger of  
US WATS, Inc. d/b/a US WATS Enterprises, Inc. (holder of  
IXC Certificate No. 2993) into Capsule Communications,  
Inc., and for change in name on Certificate No. 2993 to  
Capsule Communications, Inc.
- T) DOCKET NO. 000204-TP - Request for approval of merger of  
America Online, Inc. (AOL) with Time Warner Inc. (TWI)  
(holder of approximately 48% of the outstanding stock of  
Time Warner Telecom, Inc., full owner of AAV/ALEC  
Certificate No. 3167 and IXC Certificate No. 5327 in the  
name Time Warner Telecom of Florida, L.P.), whereby AOL

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and TWI will become wholly owned subsidiaries of AOL Time Warner Inc., a newly formed holding company.

U) DOCKET NO. 000185-TI - Request by PF.Net, LLC (holder of IXC Certificate No. 7232) for approval of change in form of organization from Delaware limited liability company to Delaware C Corporation, and for change in name on certificate to PF.Net Network Services Corp.

V) DOCKET NO. 000273-TI - Application for approval of transfer of control of The Furst Group, Inc. (holder of IXC Certificate No. 3171) to Furst Holding, Inc.

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

DECISION: The recommendation was approved with a modification that Docket No. 000138-TP was deferred.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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DOCKET NO. 960598-TP - Request for submission of proposal for provision of relay service, beginning in June 1997, for the hearing and speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer DS

Staff: CMU: King, McDonald, Moses, Tudor  
APP: Brown

Issue 1: Should the Commission collect liquidated damages from MCI in the amount of \$770,000 for failure to meet the answer time requirements of its contract, and \$225,000 for failure to meet the blockage requirements, from June 1, 1998, through December 31, 1999?

Recommendation: ~~Yes~~. The Commission should require MCI to pay liquidated damages for answer time failures by crediting the Florida Telecommunications Relay Inc. (FTRI) account \$770,000 for failure to meet the answer time requirements of the contract, ~~and \$225,000 for failure to meet the blockage standard, for a total of \$995,000.~~ Liquidated damages should not be collected relating to blockage. The liquidated damages should be credited to relay bills beginning with the FTRI bill for March, 2000.

Issue 2: Should this docket be closed?

Recommendation: No.

DECISION: The recommendations were approved with a modification to Issue No. 1 that the period for liquidated damages for failure to meet answer time requirements will begin with the initiation date of contract - June 1, 1997; with damages in the amount of \$1,285,000 to be collected.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber



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4	<p>DOCKET NO. 981104-EU - Proposed amendment of Rule 25-6.049, F.A.C., Measuring Customer Service. (Deferred from the 2/15/00 Commission Conference.)</p> <p>Critical Date(s): None</p> <p>Rule Status: Adoption</p> <p>Hearing Date(s): 3/15/99, Talla., Rule Hrg., Staff 5/5/99, Talla., Rule Hrg., Staff 12/2/99, Talla., Rule Hrg., Staff</p> <p>Commissioners Assigned: Full Commission Prehrg Officer JC</p> <p>Staff: APP: Helton</p> <p><u>Issue 1</u>: Should the Commission adopt the proposed amendments to clarify Rule 25-6.049, Florida Administrative Code, Measuring Customer Service? <u>Recommendation</u>: Yes. The Commission should adopt the proposed amendments with an additional clarifying change.</p> <p><u>Issue 2</u>: Should this docket be closed? <u>Recommendation</u>: Yes. The rule as approved by the Commission should be filed for adoption with the Secretary of State and the docket closed.</p>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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5                   DOCKET NO. 990913-EI - Complaint by Regina Walsh against Florida Power Corporation regarding backbilling.

Critical Date(s):   None

Commissioners Assigned:   Full Commission  
  Prehrg Officer ADM

Staff:   LEG:   Crossman  
          CAF:   C. Peña  
          EAG:   Ging

Issue 1:   Should the Commission approve the settlement agreement between Ms. Regina Walsh and Florida Power Corporation?

Recommendation:   Yes.   The Commission should approve the settlement agreement between Ms. Regina Walsh and Florida Power Corporation.

Issue 2:   Should this docket be closed?

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

DECISION:   The recommendations were approved.

Commissioners participating:   Garcia, Deason, Clark, Jacobs, Jaber

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6	<p>DOCKET NO. 991789-EG - Approval of demand-side management plan of Florida Power Corporation.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer GR</p> <p>Staff: EAG: Haff, Ging LEG: Crossman</p> <p><u>Issue 1</u>: Should the Commission approve Florida Power Corporation's Demand-Side Management Plan, including approval for cost recovery? <u>Recommendation</u>: Yes. FPC's DSM Plan should be approved.</p> <p><u>Issue 2</u>: Should Florida Power Corporation be required to submit detailed program participation standards? <u>Recommendation</u>: Yes. FPC should file program participation standards within 30 days of the issuance of the order in this docket. Staff should be allowed to administratively approve the program participation standards if they conform to the description of the programs contained in FPC's DSM Plan.</p> <p><u>Issue 3</u>: Should this docket be closed? <u>Recommendation</u>: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's proposed agency action in Issue 1 files a protest within 21 days of the issuance of the order.</p>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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7	<p>DOCKET NO. 991791-EG - Approval of demand-side management plan of Tampa Electric Company.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer GR</p> <p>Staff: EAG: Colson, Ging LEG: Crossman</p> <p><u>Issue 1</u>: Should the Commission approve Tampa Electric Company's Demand-Side Management Plan, including approval for cost recovery? <u>Recommendation</u>: Yes. The Commission should approve TECO's Demand-Side Management Plan including cost recovery.</p> <p><u>Issue 2</u>: Should Tampa Electric Company be required to submit detailed program participation standards? <u>Recommendation</u>: Yes. TECO should file program participation standards within 30 days of the issuance of the order in this docket. Staff should be allowed to administratively approve the program participation standards if they conform to the description of the programs contained in TECO's DSM plan.</p> <p><u>Issue 3</u>: Should this docket be closed? <u>Recommendation</u>: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's proposed agency action in Issue 1 files a protest within 21 days of the issuance of the order.</p>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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8	<p>DOCKET NO. 991790-EG - Approval of demand-side management plan of Gulf Power Company.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer GR</p> <p>Staff: EAG: Goad LEG: Crossman</p> <p><u>Issue 1</u>: Should the Commission approve Gulf Power Company's (Gulf) proposed Demand-Side Management Plan for 2000-2009, including approval for cost recovery? <u>Recommendation</u>: Yes. Gulf's proposed programs are cost-effective and as projected will allow Gulf to meet its required conservation goals for 2000-2009.</p> <p><u>Issue 2</u>: Should Gulf Power Company be required to submit detailed program participation standards? <u>Recommendation</u>: Yes. Gulf should file program participation standards within 30 days of the issuance of the order in this docket. Staff should be allowed to administratively approve the program participation standards if they conform to the description of the programs contained in Gulf's DSM Plan.</p> <p><u>Issue 3</u>: Should this docket be closed? <u>Recommendation</u>: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's proposed agency action in Issue 1 files a protest within 21 days of the issuance of the order.</p>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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9	<p>DOCKET NO. 000206-EI - Request to modify definition of residential rate schedule by Gulf Power Company.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: EAG: Ging LEG: Isaac</p> <p><u>Issue 1</u>: Should the Commission approve Gulf Power Company's (GPC) petition to modify the definition of residential service? <u>Recommendation</u>: Yes. The Commission should approve GPC's petition to modify the definition of residential service.</p> <p><u>Issue 2</u>: What is the appropriate effective date of the proposed tariff change? <u>Recommendation</u>: The effective date of the tariff should be May 1, 2000, as requested by the Company.</p> <p><u>Issue 3</u>: Should this docket be closed? <u>Recommendation</u>: Yes, if no protest is filed within 21 days of the issuance of the order.</p>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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10 DOCKET NO. 000074-TX - Initiation of show cause proceedings against First Touch, Inc. for apparent violation of Rule 25-24.835, F.A.C., Records & Reports; Rules Incorporated, and Section 364.183(1), F.S., Access to Company Records.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: LEG: Clemons  
CMU: M. Watts

Issue 1: Should the Commission order First Touch, Inc. to show cause why it should not be fined \$10,000 or have certificate number 5621 canceled for 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 First Touch, Inc. 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 5621 canceled for 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 First Touch, Inc. 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 and the fine is not paid within ten business days after the 21-day response period, the facts should be deemed admitted, the right to a hearing should be deemed waived and certificate number 5621 should be canceled. 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.

Issue 2: Should the Commission order First Touch, Inc. to show cause in writing why it should not be fined \$500 for apparent violation of Rule 25-24.835, Florida Administrative Code, Rules Incorporated?

Recommendation: Yes. The Commission should order First Touch, Inc. to show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined \$500 for apparent violation of Rule 25-24.835, Florida Administrative Code, Rules Incorporated. The company's response should contain specific allegations of fact and

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10                   DOCKET NO. 000074-TX - Initiation of show cause proceedings against First Touch, Inc. for apparent violation of Rule 25-24.835, F.A.C., Records & Reports; Rules Incorporated, and Section 364.183(1), F.S., Access to Company Records.

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law. If First Touch, Inc. fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, 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 ten business days after the order becomes final, it should be forwarded to the Office of the Comptroller for collection. If the fine is paid, it will be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

Issue 3: Should this docket be closed?

Recommendation: No. If staff's recommendations in Issues 1 and 2 are approved, this docket will remain open pending the outcome of the show cause proceedings. If First Touch, Inc. timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceedings.

Staff recommends that if First Touch, Inc. fails to respond to the Order to Show Cause for Issue 1 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 5621 should be canceled and this docket may be closed administratively if all other issues are closed. If First Touch, Inc. fails to respond to the Order to Show Cause for Issue 2, the fine will be deemed assessed. If the fine is not received within ten business days after the expiration of the show cause response period, it should be forwarded to the Office of the Comptroller for collection and this docket may be closed administratively if all other issues are closed. If First Touch, Inc. pays the fines recommended in Issues 1 and 2, this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber



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11	Initiation of show cause proceedings for apparent violation of Section 364.183(1), F.S., Access to Company Records.  DOCKET NO. 000222-TX - Momentum Telecom, Inc. DOCKET NO. 000223-TX - Mat-Tell Communications, Inc. DOCKET NO. 000227-TX - InternetU, Inc. DOCKET NO. 000228-TX - Inter-Tel NetSolutions, Inc. DOCKET NO. 000229-TX - Burno Inc. d/b/a Integra Paging DOCKET NO. 000230-TX - Onyx Distributing Company, Inc. d/b/a Florida Comm South DOCKET NO. 000231-TX - Ernest Communications, Inc. DOCKET NO. 000232-TX - Datacomm International Company, Ltd.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: LEG: Vaccaro, Clemons, Stern, Caldwell  
CMU: M. Watts

Issue 1: Should the Commission order each of the companies listed on page 7 of staff's March 16, 2000 memorandum to show cause why it should not be fined \$10,000 or its respective certificate, as listed on page 7, should not be canceled for 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 each of the companies listed on page 7 to show cause in writing within 21 days of issuance of the Commission's Order why it should not be fined \$10,000 or have its respective certificate, as listed on page 7, canceled for failure to provide the Commission access to information in accordance with Section 364.183(1), Florida Statutes, Access to Company Records. Each company's response should contain specific allegations of fact and law. If any of the companies listed on page 7 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 and the fine is not paid within ten business days after the 21-day response period, the facts should be deemed admitted and the right to a hearing should be deemed waived and the company's respective certificate, as listed on page 7, should be canceled. If the fine is paid, it should be remitted by the

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11	Initiation of show cause proceedings for apparent violation of Section 364.183(1), F.S., Access to Company Records.
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Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

Issue 2: Should these dockets be closed?

Recommendation: No. If staff's recommendation in Issue 1 is approved, they will remain open pending the outcome of the show cause proceedings. If each of the companies listed on page 7 timely responds to its respective show cause order, its respective docket should remain open pending resolution of the show cause proceedings.

Staff recommends that if any of the companies listed on page 7 fails to respond to the Order to Show Cause within the 21-day show cause response period and the respective fine is not received within ten business days after the expiration of the show cause response period, the company's respective certificate, as listed on page 7, should be canceled and its respective docket may be closed administratively. If each of the companies listed on page 7 pays the fine recommended in Issue 1, the company's respective docket should be closed. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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12                   Initiation of show cause proceedings for apparent violation of Section 364.183(1), F.S., Access to Company Records.

DOCKET NO. 000214-TX - Diamond Communications International, Inc.  
DOCKET NO. 000215-TX - Smart City Networks  
DOCKET NO. 000216-TX - Ayesha Roberson d/b/a Talk America  
DOCKET NO. 000217-TX - ATI Telecom, Inc.  
DOCKET NO. 000218-TX - Alternative Telecommunication Services, Inc. d/b/a Second Chance Phone  
DOCKET NO. 000219-TX - Worldlink Long Distance Corp.  
DOCKET NO. 000220-TX - Rehook1, Inc.  
DOCKET NO. 000221-TX - Orlando Digital Telephone Corporation

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: LEG: Caldwell, Vaccaro, Clemons, B. Keating, Fordham  
CMU: M. Watts

Issue 1: Should the Commission order each of the companies listed on page 7 of staff's March 16, 2000 memorandum to show cause why it should not be fined \$10,000 or its respective certificate, as listed on page 7, should not be canceled for 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 each of the companies listed on page 7 to show cause in writing within 21 days of issuance of the Commission's Order why it should not be fined \$10,000 or have its respective certificate, as listed on page 7, canceled for failure to provide the Commission access to information in accordance with Section 364.183(1), Florida Statutes, Access to Company Records. Each company's response should contain specific allegations of fact and law. If any of the companies listed on page 7 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 and the fine is not paid within ten business days after the 21-day response period, the facts should be deemed admitted and the right to a hearing should be deemed waived and the company's

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12                   Initiation of show cause proceedings for apparent violation of Section 364.183(1), F.S., Access to Company Records.

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respective certificate, as listed on page 7, should be canceled. 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.

Issue 2: Should these dockets be closed?

Recommendation: No. If staff's recommendation in Issue 1 is approved, they will remain open pending the outcome of the show cause proceedings. If each of the companies listed on page 7 timely responds to its respective show cause order, its respective docket should remain open pending resolution of the show cause proceedings.

Staff recommends that if any of the companies listed on page 7 fails to respond to the Order to Show Cause within the 21-day show cause response period and the respective fine is not received within ten business days after the expiration of the show cause response period, the company's respective certificate, as listed on page 7, should be canceled and its respective docket may be closed administratively. If each of the companies listed on page 7 pays the fine recommended in Issue 1, the company's respective docket should be closed. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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13 Initiation of show cause proceedings for apparent violation of Section 364.183(1), F.S., Access to Company Records.

- DOCKET NO. 000233-TX - Metro Connection, Inc. d/b/a TransAmerican Telephone
- DOCKET NO. 000234-TX - USA Tele Corp.
- DOCKET NO. 000235-TX - TotalTel USA Communications, Inc.
- DOCKET NO. 000236-TX - Pushbutton Paging & Communication, Inc.
- DOCKET NO. 000237-TX - Philacom Inc.
- DOCKET NO. 000238-TX - Dial-Tone Communications Group Inc.
- DOCKET NO. 000239-TX - Atlantic.Net Broadband, Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission  
 Prehrig Officer ADM

Staff: LEG: B. Keating  
 CMU: M. Watts

Issue 1: Should the Commission order each of the companies listed on page 7 of staff's March 16, 2000 memorandum to show cause why it should not be fined \$10,000 or its respective certificate, as listed on page 7, should not be canceled for 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 each of the companies listed on page 7 to show cause in writing within 21 days of issuance of the Commission's Order why it should not be fined \$10,000 or have its respective certificate, as listed on page 7, canceled for failure to provide the Commission access to information in accordance with Section 364.183(1), Florida Statutes, Access to Company Records. Each company's response should contain specific allegations of fact and law. If any of the companies listed on page 7 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 and the fine is not paid within ten business days after the 21-day response period, the facts should be deemed admitted and the right to a hearing should be deemed waived and the company's respective certificate, as listed on page 7, should be canceled. If the fine is paid, it should be remitted by the

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13                   Initiation of show cause proceedings for apparent violation of Section 364.183(1), F.S., Access to Company Records.

(Continued from previous page)

Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

Issue 2: Should these dockets be closed?

Recommendation: No. If staff's recommendation in Issue 1 is approved, they will remain open pending the outcome of the show cause proceedings. If each of the companies listed on page 7 timely responds to its respective show cause order, its respective docket should remain open pending resolution of the show cause proceedings.

Staff recommends that if any of the companies listed on page 7 fails to respond to the Order to Show Cause within the 21-day show cause response period and the respective fine is not received within ten business days after the expiration of the show cause response period, the company's respective certificate, as listed on page 7, should be canceled and its respective docket may be closed administratively. If each of the companies listed on page 7 pays the fine recommended in Issue 1, the company's respective docket should be closed. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved with the modification that Docket No. 000235-TX was deferred.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

<u>ITEM NO.</u>	<u>CASE</u>
14	<p>DOCKET NO. 000209-TX - Initiation of show cause proceedings against TechTel Communications, Inc. for apparent violation of Rule 25-24.835, F.A.C., Rules Incorporated.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: LEG: Fordham CMU: M. Watts</p> <p><u>Issue 1</u>: Should the Commission order TechTel Communications, Inc. to show cause in writing why certificate number 5259 should not be canceled or a fine of \$500 should not be imposed for apparent violation of Rule 25-24.835, Florida Administrative Code, Rules Incorporated?</p> <p><u>Recommendation</u>: Yes. The Commission should order TechTel to show cause in writing within 21 days of the issuance of the Commission's Order why it should not have certificate number 5259 canceled or be fined \$500 for apparent violation of Rule 25-24.835, Florida Administrative Code, Rules Incorporated. The company's response should contain specific allegations of fact and law. If TechTel fails to respond to the Order to Show Cause, and the fine is not paid within ten business days after the 21-day show cause period, certificate number 5259 should be canceled. 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.</p> <p><u>Issue 2</u>: Should this docket be closed?</p> <p><u>Recommendation</u>: No. If staff's recommendation in Issue 1 is approved, TechTel 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 certificate number 5259 canceled. If TechTel timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If TechTel fails to respond to the show cause order, certificate number 5259 should be canceled and this docket should be closed at that time.</p>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

<u>ITEM NO.</u>	<u>CASE</u>
15	<p>DOCKET NO. 000191-TI - Initiation of show cause proceedings against TechTel Communications, Inc. for violation of Rule 25-24.480, F.A.C., Records &amp; Reports; Rules Incorporated.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: LEG: Vaccaro CMU: M. Watts</p> <p><u>Issue 1</u>: Should the Commission order TechTel Communications, Inc. to show cause in writing why certificate number 5657 should not be canceled or a fine of \$500 should not be imposed for apparent violation of Rule 25-24.480, Florida Administrative Code, Records &amp; Reports; Rules Incorporated? <u>Recommendation</u>: Yes. The Commission should order TechTel to show cause in writing within 21 days of the issuance of the Commission's Order why it should not have certificate number 5657 canceled or be fined \$500 for apparent violation of Rule 25-24.480, Florida Administrative Code, Records &amp; Reports; Rules Incorporated. The company's response should contain specific allegations of fact and law. If TechTel fails to respond to the Order to Show Cause, and the fine is not paid within ten business days after the 21-day show cause period, certificate number 5657 should be canceled. 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.</p> <p><u>Issue 2</u>: Should this docket be closed? <u>Recommendation</u>: No. If staff's recommendation in Issue 1 is approved, TechTel 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 certificate number 5657 canceled. If TechTel timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If TechTel fails to respond to the show cause order, certificate number 5657 should be canceled and this docket should be closed at that time.</p>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber



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16 DOCKET NO. 000080-TI - Petition for waiver of rules and requirements to allow deposit requirement in long distance tariff by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom.

Critical Date(s): 4/24/00 (Statutory Deadline)

Commissioners Assigned: Full Commission  
Prehrg Officer JC

Staff: CMU: Pruitt  
AFA: Lester  
LEG: Fordham

Issue 1: Should ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom (ITC) be granted a waiver of Rule 25-24.490(2), Florida Administrative Code?

Recommendation: Yes.

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed 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 issuance of the proposed agency action order.

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

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17 DOCKET NO. 000063-TC - Request for exemption from requirement of Rule 25-24.515(13), F.A.C., that each pay telephone station shall allow incoming calls, by Payphone Connection, Inc.

Critical Date(s): 4/20/00 (Statutory Deadline)

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Isler  
LEG: Clemons

Issue 1: Should the Commission grant the provider listed on page 4 of staff's memorandum dated March 16, 2000, an exemption from the requirement that each telephone station shall allow incoming calls for the pay telephone numbers at the addresses listed?

Recommendation: Yes.

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed 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 issuance of the proposed agency action order.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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18

DOCKET NO. 000065-TC - Request for exemption from requirement of Rule 25-24.515(13), F.A.C., that each pay telephone station shall allow incoming calls, by BellSouth Public Communications, Inc.

Critical Date(s): 4/20/00 (Statutory Deadline)

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Isler  
LEG: Vaccaro

Issue 1: Should the Commission grant the provider listed on page 4 of staff's memorandum dated March 16, 2000, an exemption from the requirement that each telephone station shall allow incoming calls for the pay telephone numbers at the addresses listed?

Recommendation: Yes.

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed 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 issuance of the proposed agency action order.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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19

Requests for exemption from requirement of Rule 25-24.515(13), F.A.C., that each pay telephone station shall allow incoming calls.

DOCKET NO. 000064-TC - BellSouth Public Communications, Inc.  
DOCKET NO. 000092-TC - Sprint Payphone Services, Inc.

Critical Date(s): 4/20/00 and 5/1/00 (Statutory Deadlines)

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Isler  
LEG: Stern

Issue 1: Should the Commission grant each of the providers listed on page 5 of staff's memorandum dated March 16, 2000, an exemption from the requirement that each telephone station shall allow incoming calls for the pay telephone numbers at the addresses listed?

Recommendation: Yes.

Issue 2: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed 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 issuance of the proposed agency action order. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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20

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

DOCKET NO. 991976-TX - Teltrust Communications Services, Inc.

DOCKET NO. 991981-TX - Communication Options Southern Region, Inc. d/b/a COI-SR

DOCKET NO. 991988-TX - Telecard Communications International, Inc.

DOCKET NO. 991999-TX - EasyComm Corporation

DOCKET NO. 992001-TX - The Mobile Phone Company, Inc.

DOCKET NO. 992005-TX - Dial-Tone Communications Group Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

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

Issue 1: Should the Commission impose a \$500 fine or cancel the alternative local exchange telecommunications' certificates issued to each company listed on page 5 of staff's memorandum dated March 16, 2000, 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 or cancel each company's certificate as listed on page 5 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the alternative local exchange telecommunications certificate numbers listed on page 5 of staff's memorandum dated March 16, 2000 should be canceled administratively.

Issue 2: Should these dockets be closed?

Recommendation: Yes. If the Commission approves or modifies staff's recommendation on Issue 1, these dockets

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20

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

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should be closed upon receipt of the fine and fees or cancellation of the certificates, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of issuance of the proposed agency action order. If the Commission denies staff's recommendation on Issue 1, these dockets should be closed administratively. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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21

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

DOCKET NO. 991963-TX - Eastland of Orlando Telephone Corporation

DOCKET NO. 991964-TX - World Telecommunications Services, Inc.

DOCKET NO. 991965-TX - Philacom Inc.

DOCKET NO. 991969-TX - Tin Can Communications Company, L.L.C.

DOCKET NO. 991970-TX - United States Telecommunications, Inc. d/b/a Tel Com Plus

DOCKET NO. 991971-TX - New Millennium Communications Corporation

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

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

Issue 1: Should the Commission impose a \$500 fine or cancel the alternative local exchange telecommunications' certificates issued to each company listed on page 5 of staff's memorandum dated March 16, 2000, 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 or cancel each company's certificate as listed on page 5 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the alternative local exchange telecommunications certificate numbers listed on page 5 should be canceled administratively.

Issue 2: Should these dockets be closed?

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

(Continued from previous page)

Recommendation: Yes. If the Commission approves or modifies staff's recommendation on Issue 1, these dockets should be closed upon receipt of the fine and fees or cancellation of the certificates, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of issuance of the proposed agency action order. If the Commission denies staff's recommendation on Issue 1, these dockets should be closed administratively. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber



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22	<p>Cancellation by Florida Public Service Commission of alternative local exchange telecommunications certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.</p> <p>DOCKET NO. 991962-TX - OpTel (Florida) Telecom, Inc. d/b/a OpTel DOCKET NO. 991966-TX - Omnicall, Inc. DOCKET NO. 991967-TX - North American Telecommunications Corporation d/b/a Southeast Telephone Company DOCKET NO. 991979-TX - Pre-Cell Solutions/Family Phone Service, Inc. DOCKET NO. 991991-TX - SouthNet Telecomm Services, Inc. DOCKET NO. 992000-TX - Pushbutton Paging &amp; Communication, Inc. DOCKET NO. 992002-TX - NewSouth Communications Corp. DOCKET NO. 992003-TX - Dial Tone, Inc. d/b/a Dial Tone of Alabama, Inc.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: CMU: Isler LEG: K. Pena, B. Keating</p> <p><u>Issue 1</u>: Should the Commission accept the settlement offer proposed by each company listed on page 4 of staff's memorandum dated March 16, 2000, to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies? <u>Recommendation</u>: Yes. The Commission should accept the companies' settlement proposals. 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 any of the companies listed on page 4 fails to pay in accordance with the terms of the Commission Order, that company's certificate should be canceled administratively.</p>

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22	<p>Cancellation by Florida Public Service Commission of alternative local exchange telecommunications certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.</p> <p>(Continued from previous page)</p> <p><u>Issue 2</u>: Should these dockets be closed? <u>Recommendation</u>: Yes. If the Commission approves staff's recommendation in 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.</p> <p><u>DECISION</u>: The recommendations were approved.</p> <p>Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber</p>

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CASE

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23

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. 991539-TI - North American Communications Control, Inc.

DOCKET NO. 991580-TI - QCC, Inc.

DOCKET NO. 991827-TI - NOW Communications, Inc.

DOCKET NO. 991847-TI - U S P & C Corporation

DOCKET NO. 991848-TI - Main Street Telephone Company

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Isler  
LEG: K. Peña, B. Keating

Issue 1: Should the Commission accept the settlement offer proposed by each company listed on page 4 of staff's March 16, 2000 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 companies' settlement proposals. 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 any of the companies listed on page 4 fails to pay in accordance with the terms of the Commission Order, that company's certificate should be canceled administratively.

Issue 2: Should these dockets be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in 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: Garcia, Deason, Clark, Jacobs, Jaber

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24

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. 991453-TI - TransAmerica Communications, Inc.  
DOCKET NO. 991532-TI - American Cyber Corporation d/b/a Discount Plus

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Isler  
LEG: K. Peña, B. Keating

Issue 1: Should the Commission grant the companies listed on page 4 of staff's March 16, 2000 memorandum a voluntary cancellation of their interexchange telecommunications certificates?

Recommendation: Yes. The Commission should grant each company a voluntary cancellation of its interexchange telecommunications certificate to be effective on the date payment was made and the request for cancellation was received.

Issue 2: Should these dockets be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, these dockets should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

ITEM NO.

CASE

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25

DOCKET NO. 992009-TC - Cancellation by Florida Public Service Commission of Pay Telephone Service Certificate No. 1788 issued to Sunshine Shell 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: CMU: Isler  
LEG: K. Peña, B. Keating

Issue 1: Should the Commission impose a \$500 fine or cancel Sunshine Shell's pay telephone certificate for apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the company's Pay Telephone Certificate No. 1788 should be canceled administratively.

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 receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of 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: Garcia, Deason, Clark, Jacobs, Jaber

ITEM NO.

CASE

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26

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

DOCKET NO. 991211-TC - Kent Enterprises, Inc.  
DOCKET NO. 991309-TC - GCB Communications, Inc.  
DOCKET NO. 991312-TC - Tele Com, Corp.  
DOCKET NO. 991358-TC - SM 106 Ltd.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Isler  
LEG: K. Peña, B. Keating

Issue 1: Should the Commission accept the settlement offer proposed by each company listed on page 4 of staff's March 16, 2000 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 the companies' settlement proposals. 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 any of the companies listed on page 4 fails to pay in accordance with the terms of the Commission Order, that company's certificate should be canceled administratively.

Issue 2: Should these dockets be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in 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: Garcia, Deason, Clark, Jacobs, Jaber

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27

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

DOCKET NO. 991253-TC - Waterline Yachts, Inc.

DOCKET NO. 991300-TC - Nellie Daniel/Valerie Ferris d/b/a National Phone Network

DOCKET NO. 991314-TC - K.L. Kinard

DOCKET NO. 991353-TC - Carl Wenger

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Isler

LEG: K. Peña, B.Keating

Issue 1: Should the Commission grant the companies listed on page 5 of staff's March 16, 2000 memorandum a voluntary cancellation of their pay telephone certificates?

Recommendation: Yes. The Commission should grant each company a voluntary cancellation of its pay telephone certificate to be effective on the date payment was made and the request for cancellation was received.

Issue 2: Should these dockets be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, these dockets should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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CASE

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28

DOCKET NO. 991604-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 5321 issued to IAS Film Corporation d/b/a I.A.S. Intercommunication American Systems 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: CMU: Isler  
LEG: Stern

Issue 1: Should the Commission accept the settlement offer proposed by IAS Film Corporation d/b/a I.A.S.

Intercommunication American Systems 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. 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 the company fails to pay in accordance with the terms of the Commission Order, the company's Certificate No. 5321 should be canceled administratively.

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber



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CASE

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29

DOCKET NO. 991613-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 5323 issued to Financial Intranet, 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: CMU: Isler  
LEG: K. Peña, B. Keating

Issue 1: Should the Commission accept the settlement offer proposed by Financial Intranet, Inc. to resolve the apparent violation of Rules 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, and 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated?

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 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 the company fails to pay in accordance with the terms of the Commission Order, the company's certificate should be canceled administratively.

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$250 contribution or cancellation of the certificate.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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CASE

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30

DOCKET NO. 991826-TI - Cancellation by Florida Public Service Commission of IXC Certificate No. 5669 issued to Buyers United International, 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: CMU: Isler  
LEG: K. Peña, B. Keating

Issue 1: Should the Commission impose a \$500 fine or cancel Buyers United International, Inc.'s interexchange telecommunications certificate for apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the company's Interexchange Telecommunications Certificate No. 5669 should be canceled administratively.

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 receipt of the fine and fees or cancellation of the certificate, 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: Garcia, Deason, Clark, Jacobs, Jaber

<u>ITEM NO.</u>	<u>CASE</u>
31	<p>Cancellation by Florida Public Service Commission of shared tenant services certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.</p> <p>DOCKET NO. 991875-TS - TVMAX Telecommunications, Inc. d/b/a OpTel DOCKET NO. 991876-TS - Time Warner Connect</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: CMU: Isler LEG: K. Peña, B. Keating</p> <p><u>Issue 1</u>: Should the Commission accept the settlement offer proposed by each company listed on page 4 of staff's March 16, 2000 memorandum to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies? <u>Recommendation</u>: Yes. The Commission should accept the companies' settlement proposals. 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 any of the companies listed on page 4 fails to pay in accordance with the terms of the Commission Order, that company's certificate should be canceled administratively.</p> <p><u>Issue 2</u>: Should these dockets be closed? <u>Recommendation</u>: Yes. If the Commission approves staff's recommendation in 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.</p>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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<u>ITEM NO.</u>	<u>CASE</u>
32	<p>DOCKET NO. 991874-TS - Cancellation by Florida Public Service Commission of Shared Tenant Services Certificate No. 4435 issued to Strategic Technologies, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: CMU: Isler LEG: K. Peña, B. Keating</p> <p><u>Issue 1</u>: Should the Commission grant Strategic Technologies, Inc. a voluntary cancellation of its Shared Tenant Services Certificate No. 4435? <u>Recommendation</u>: Yes. The Commission should grant the company a voluntary cancellation of its shared tenant services certificate with an effective date of February 15, 2000.</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>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

ITEM NO.

CASE

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33

Cancellation by Florida Public Service Commission of Shared Tenant Services Certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 991873-TS - 2875 South Ocean Corporation  
DOCKET NO. 991877-TS - Rifkin/Narragansett South Florida  
CATV Limited Partnership d/b/a CableVision Communications

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Isler  
LEG: K. Peña, B. Keating

Issue 1: Should the Commission impose a \$500 fine or cancel the shared tenant services' certificates issued to each company listed on page 4 of staff's March 16, 2000 memorandum for apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's certificate as listed on page 4 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the shared tenant services' certificates should be canceled administratively.

Issue 2: Should these dockets be closed?

Recommendation: Yes. If the Commission approves or modifies staff's recommendation on Issue 1, these dockets should be closed upon receipt of the fine and fees or cancellation of the certificates, 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, these dockets should be closed administratively. A protest in one docket should not prevent the action in a separate docket from becoming final.

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<u>ITEM NO.</u>	<u>CASE</u>
33	Cancellation by Florida Public Service Commission of Shared Tenant Services Certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

DECISION: The recommendations were approved with a modification that Docket No. 991877-TS was deferred to a later Commission Conference.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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<u>ITEM NO.</u>	<u>CASE</u>
34	<p>DOCKET NO. 000153-TI - Request for name change on Interexchange Telecommunications Certificate No. 2497 from Amerivision Communications, Inc. to Amerivision Communications, Inc. d/b/a Lifeline Communications.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: CMU: Williams LEG: K. Peña, B. Keating</p> <p><u>Issue 1</u>: Should Amerivision Communications, Inc.'s request for a name change to Amerivision Communications, Inc. d/b/a Lifeline Communications be granted? <u>Recommendation</u>: Yes. Amerivision Communications, Inc. should be granted a name change to Amerivision Communications, Inc. d/b/a Lifeline Communications.</p> <p><u>Issue 2</u>: Should this docket be closed? <u>Recommendation</u>: If no person whose substantial interests are affected by the Commission's proposed agency action files a protest within 21 days of the issuance date of the order, this docket should be closed upon issuance of a Consummating Order.</p> <p><u>DECISION</u>: The recommendation for Issue 1 was denied; Issue 2 was approved.</p> <p>Commissioner Deason dissented.</p> <p>Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber</p>

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<u>ITEM NO.</u>	<u>CASE</u>
35	<p>DOCKET NO. 991821-TC - Application for certificate to provide pay telephone service by Radio Communications Corporation.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: CMU: Williams LEG: K. Peña, B. Keating</p> <p><u>Issue 1:</u> Should Radio Communications Corporation (RCC) be granted a Certificate of Public Convenience and Necessity to provide Pay Telephone Service in Florida? <u>Recommendation:</u> Yes. Radio Communications Corporation (RCC) should be granted Pay Telephone Certificate No. 7416. Certification should be conditioned on RCC providing access to long distance carriers through toll-free numbers and live operator service. RCC should not be required to provide access to all locally available long distance carriers as prescribed in Rule 25-24.515(10), F.A.C., Pay Telephone Service.</p> <p><u>Issue 2:</u> Should this docket be closed? <u>Recommendation:</u> If no person whose substantial interests are affected by the Commission's proposed agency action files a protest within 21 days of the issuance date of the order, this docket should be closed upon the issuance of a consummating order.</p> <p><u>DECISION:</u> This item was deferred to a later Commission Conference.</p>



ITEM NO.

CASE

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36

DOCKET NO. 000109-TI - Investigation and determination of appropriate method for refunding interest and overcharges on intrastate 0+ calls made from pay telephones and in a call aggregator context by International Tele-Services, Inc. d/b/a InTeleServ.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Biegalski  
AFA: D. Draper  
LEG: Clemons

Issue 1: Should the Commission accept International Tele-Services, Inc. d/b/a InTeleServ's offer of refund and refund calculation of \$3,381.00, plus interest of \$228.64, for a total of \$3,609.64, for overcharging end users on intrastate 0+ calls made from pay telephones and in a call aggregator context from February 1, 1999, through August 19, 1999?

Recommendation: Yes. The Commission should accept InTeleServ's refund calculation of \$3,381.00, adding interest of \$228.64, for a total of \$3,609.64, and proposal to credit end user customers' local exchange telephone bills beginning June 1, 2000, and ending July 31, 2000, for overcharging end users on intrastate 0+ calls made from pay telephones and in a call aggregator context from February 1, 1999, through August 19, 1999. At the end of the refund period, any unrefunded amount, including interest, should be remitted to the Commission by August 10, 2000, and forwarded to the Comptroller for deposit in the General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes. InTeleServ should submit a final report as required by Rule 25-4.114, Florida Administrative Code, Refunds, by August 10, 2000.

Issue 2: Should International Tele-Services, Inc. d/b/a InTeleServ be required to show cause why it should not pay a fine for overbilling of calls in excess of the rate cap established in Rule 25-24.630, Florida Administrative Code, Rate and Billing Requirements?

Recommendation: No.

ITEM NO.

CASE

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36                   DOCKET NO. 000109-TI - Investigation and determination of appropriate method for refunding interest and overcharges on intrastate 0+ calls made from pay telephones and in a call aggregator context by International Tele-Services, Inc. d/b/a InTeleServ.

(Continued from previous page)

Issue 3: Should this docket be closed?

Recommendation: No. If no person whose interests are substantially affected by the proposed action files a protest of the Commission's decision in Issue 1 within the 21-day protest period, the Commission's Order will become final upon issuance of a Consummating Order. This docket should, however, remain open pending the completion of the refund and receipt of the final report on the refund. After completion of the refund and receipt of the final refund report, this docket should be closed administratively.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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<u>ITEM NO.</u>	<u>CASE</u>
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37	DOCKET NO. 991751-TP - Complaint of Sprint-Florida, Incorporated regarding the practices of Thrifty Call, Inc. in the reporting of percent interstate usage for compensation for jurisdictional access services.
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Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer GR

Staff: LEG: B. Keating  
AFA: D. Mailhot, D. Vandiver, K. Welch, R. Wright  
CMU: S. Simmons

Issue 1: Should the Commission acknowledge Sprint's Notice of Voluntary Dismissal?

Recommendation: Yes. Staff recommends that the Commission acknowledge Sprint's Notice of Voluntary Dismissal of its Complaint.

Issue 2: Should this Docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, Thrifty Call's Motion to Dismiss will be rendered moot. As such, no further action will remain for the Commission to take. Therefore, this Docket may be closed.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

ITEM NO.

CASE

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38 DOCKET NO. 000094-TP - Request by GTE Florida Incorporated for approval of adoption of an approved interconnection agreement between GTE Florida and AT&T Communications of the Southern States, Inc. by Supra Telecommunications and Information Systems, Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: CMU: Wolfe  
LEG: Vaccaro

Issue 1: Should the Commission approve Supra Telecommunications and Information Systems, Inc.'s request to adopt in its entirety an interconnection agreement entered into by AT&T Communications of the Southern States, Inc. and GTE Florida Incorporated?

Recommendation: Yes. Supra's adoption of the GTEFL/AT&T agreement should be approved in its entirety with the clarification that GTEFL's letter in no way modifies the agreement. Approval of the adoption should in no way be construed as agreement by Supra or the Commission with GTEFL's positions set forth in the letter.

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: Garcia, Deason, Clark, Jacobs, Jaber

ITEM NO.

CASE

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38A                      DOCKET NO. 000031-TL - Request for approval of transfer of majority organizational control of GTC, Inc. d/b/a GT Com, holder of Local Exchange Telecommunications Certificate No. 29, from TPG Communications, Inc. and four shareholders to MJD Ventures, Inc.

Critical Date(s):    None

Commissioners Assigned:    Full Commission  
  Prehrg Officer ADM

Staff:    CMU:    Williams  
                                LEG:    K. Peña, B. Keating

Issue 1: Should the Commission clarify Order No. Order PSC-00-0377-PAA-TL, as consummated by Order No. PSC-00-0560-CO-TL, to indicate that an entity other than GTC, Inc. d/b/a GT Com is involved in the approved corporate transaction?

Recommendation: Yes. The Commission should clarify Order No. Order No. PSC-00-0377-PAA-TL, as consummated by Order No. PSC-00-0560-CO-TL, to indicate that TPG Communications, Inc., parent company of GTC, Inc. d/b/a GT Com, is also involved in the approved corporate transaction.

Issue 2: Should this Docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, no further action will remain for the Commission to take. Therefore, this Docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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<u>ITEM NO.</u>	<u>CASE</u>
39	<p>DOCKET NO. 990744-SU - Disposition of gross-up on CIAC collections by Fountain Lakes Sewer Corporation in Lee County.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer CL</p> <p>Staff: WAW: Johnson, McCaskill LEG: Jaeger</p> <p><u>Issue 1</u>: Should Fountain Lakes be allowed to credit its CIAC account with the amount of unclaimed refunds? <u>Recommendation</u>: Yes. Fountain Lakes should credit \$9,966 to the contributions-in-aid-of-construction (CIAC) account.</p> <p><u>Issue 2</u>: Should the docket be closed? <u>Recommendation</u>: Yes, this docket should be closed.</p>

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

<u>ITEM NO.</u>	<u>CASE</u>
40	<p>DOCKET NO. 990253-WU - Application for approval of sale of Inglewood Water System, holder of Certificate No. 428-W in Levy County, to Lonnie and Royanna Parnell.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: DS CL JC Prehrg Officer DS</p> <p>Staff: WAW: Rehwinkel, Redemann LEG: Crossman, Crosby</p> <p><u>Issue 1</u>: Should Inglewood Water System be ordered to show cause, in writing within 21 days, why it should not be fined for its apparent violation of Section 367.071, Florida Statutes?</p> <p><u>Recommendation</u>: No. A show cause proceeding should not be initiated.</p> <p><u>Issue 2</u>: Should the request for approval of sale of the utility and transfer of Water Certificate 428-W from Inglewood Water System to Lonnie and Royanna Parnell be approved?</p> <p><u>Recommendation</u>: Yes, the request for approval of sale of the utility and the transfer of Water Certificate No. 428-W from Inglewood Water System to Lonnie and Royanna Parnell should be approved.</p> <p><u>Issue 3</u>: What is the rate base of Inglewood at the time of transfer?</p> <p><u>Recommendation</u>: The rate base of Inglewood, which for transfer purposes reflects the net book value, is \$25,238.</p> <p><u>Issue 4</u>: Should an acquisition adjustment be approved?</p> <p><u>Recommendation</u>: No. An acquisition adjustment should not be included in the calculation of rate base for transfer purposes.</p> <p><u>Issue 5</u>: Should the rates and charges approved for Inglewood be continued?</p> <p><u>Recommendation</u>: Yes, the rates and charges approved for Inglewood should be continued. The tariff should be effective for services rendered or connections made on or after the stamped approval date, in accordance with Rule 25-30.475, Florida Administrative Code.</p>

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<u>ITEM NO.</u>	<u>CASE</u>
40	DOCKET NO. 990253-WU - Application for approval of sale of Inglewood Water System, holder of Certificate No. 428-W in Levy County, to Lonnie and Royanna Parnell.

(Continued from previous page)

Issue 6: Should this docket be closed?

Recommendation: Yes. If no timely protest is received to the proposed agency action issues upon the expiration of the protest period, the order should become final and effective upon the issuance of a Consummating Order and the docket should be closed administratively.

DECISION: The recommendations were approved.

Commissioner Deason dissented from majority vote in Issue 4.

Commissioners participating: Deason, Clark, Jacobs



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ITEM NO.

CASE

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41 DOCKET NO. 991001-WU - Application for transfer of facilities and Certificate No. 424-W in Highlands County from Lake Josephine Water to AquaSource Utility, Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prhrg Officer CL

Staff: WAW: Rehwinkel, Redemann  
LEG: Van Leuven

Issue 1: Should Lake Josephine Water be ordered to show cause, in writing within 21 days, why it should not be fined for its apparent violation of Section 367.071, Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated.

Issue 2: Should the transfer of facilities and Water Certificate 424-W from Lake Josephine Water to AquaSource Utility, Inc. be approved?

Recommendation: Yes, the transfer of facilities and Water Certificate 424-W from Lake Josephine to AquaSource Utility, Inc., should be approved. Further, AquaSource should be required to file an amendment of territory application within 60 days of the effective date of the order.

Issue 3: What is the rate base of Lake Josephine at the time of transfer?

Recommendation: The rate base of Lake Josephine, which for transfer purposes reflects the net book value, is \$178,226.

Issue 4: Should an acquisition adjustment be approved?

Recommendation: No. An acquisition adjustment should not be included in the calculation of rate base for transfer purposes.

Issue 5: Should the rates and charges approved for Lake Josephine be continued?

Recommendation: Yes. AquaSource should continue charging the rates and charges approved for Lake Josephine. The tariff should be effective for services rendered or connections made on or after the stamped approval date, in

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<u>ITEM NO.</u>	<u>CASE</u>
41	<p>DOCKET NO. 991001-WU - Application for transfer of facilities and Certificate No. 424-W in Highlands County from Lake Josephine Water to AquaSource Utility, Inc.</p> <p>(Continued from previous page)</p> <p>accordance with Rule 25-30.475, Florida Administrative Code. <u>Issue 6</u>: Should this docket be closed? <u>Recommendation</u>: Yes. If no timely protest is received to the proposed agency action issues upon the expiration of the protest period, the order should become final and effective upon the issuance of a Consummating Order, which will also close the docket.</p> <p><u>DECISION</u>: This item was deferred to a later Commission Conference.</p>

ITEM NO.

CASE

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42

DOCKET NO. 991056-SU - Application for transfer of Certificate No. 456-S from Del Vera Limited Partnership to Coolidge-Ft. Myers Realty Limited Partnership d/b/a Heron's Glen Utilities in Lee County.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer CL

Staff: WAW: Brady  
AFA: Vandiver  
LEG: Fudge

Issue 1: Should Del Vera Limited Partnership be ordered to show cause, in writing, within 21 days, why it should not be fined for its apparent violation of Section 367.071(1), Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated.

Issue 2: Should Coolidge-Ft. Myers Realty Limited Partnership be ordered to show cause, in writing, within 21 days, why it should not be fined for its apparent violation of Sections 367.121(2) and 367.156(1), Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated. However, Coolidge-Ft. Myers Realty Limited Partnership should be put on notice that any further violations of Sections 367.121(2) or 367.156(1), Florida Statutes, may result in a show cause proceeding being initiated.

Issue 3: Should the transfer of Certificate No. 456-S from Del Vera Limited Partnership to Coolidge-Ft. Myers Realty Limited Partnership d/b/a Heron's Glen Utilities be approved?

Recommendation: Yes, the transfer should be approved. A description of the territory being transferred is appended to staff's March 16, 2000 memorandum as Attachment A.

Issue 4: What is the rate base of Del Vera Limited Partnership at the time of transfer?

Recommendation: The rate base is \$640,512 as of December 31, 1996.

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<u>ITEM NO.</u>	<u>CASE</u>
42	<p>DOCKET NO. 991056-SU - Application for transfer of Certificate No. 456-S from Del Vera Limited Partnership to Coolidge-Ft. Myers Realty Limited Partnership d/b/a Heron's Glen Utilities in Lee County.</p> <p>(Continued from previous page)</p> <p><u>Issue 5:</u> Should a positive acquisition adjustment be approved? <u>Recommendation:</u> No.</p> <p><u>Issue 6:</u> Should the rates and charges approved for Del Vera Limited Partnership be continued? <u>Recommendation:</u> Yes. The rates and charges approved for the utility should be continued except that a previously approved treated effluent rate of \$.05 per 1,000 gallons should be made effective. The tariff reflecting the transfer should be effective for service rendered or connections made on or after the stamped approval date on the tariff sheets.</p> <p><u>Issue 7:</u> Should this docket be closed? <u>Recommendation:</u> Yes. If no timely protest is received to the proposed agency action issues, the order should become final and effective upon the issuance of a Consummating Order and the docket should be closed.</p>

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

ITEM NO.

CASE

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43                   DOCKET NO. 000248-WS - Tariff revision for payment of charges for reconnection, reimbursement for extra expenses, and payment of charges for off-hour service connection in Martin County by Indiantown Company, Inc.

Critical Date(s): 4/11/00 (60-day suspension date)

Commissioners Assigned: Full Commission  
Prehrg Officer DS

Staff: WAW: Kaproth  
LEG: Christensen

Issue 1: Should the utility's proposed tariff to require payments be made in person at the service company's business office during regular business hours and the deletion of the premises visit charge from its current tariff be suspended?

Recommendation: Yes. The utility's proposed tariff to require that payments be made in person at the service company's business office during regular business hours before the disconnection of utility services and the deletion of the premises visit charge (in lieu of disconnection) should be suspended pending further investigation by staff.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending further investigation and recommendation on whether the tariff filing should be approved.

DECISION: The recommendations were approved.

Commissioners participating: Garcia, Deason, Clark, Jacobs, Jaber

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<u>ITEM NO.</u>	<u>CASE</u>
44	<p>DOCKET NO. 991632-WS - Application for original certificate to operate water and wastewater utility in Bay County by Dana Utility Corporation.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer DS</p> <p>Staff: LEG: Christensen WAW: Rehwinkel, Redemann</p> <p><u>Issue 1</u>: Should Dana's Motion for Extension of Time for filing of the initial rates and charges information along with supporting engineering, operational, and financial data be granted?</p> <p><u>Recommendation</u>: Yes. Dana's Motion for Extension of Time for filing of the initial rates and charges information along with supporting engineering, operational, and financial data should be granted. Staff further recommends that the utility establish at the time of any proposed transfer that it meets the requirements for a temporary waiver by filing a petition for temporary waiver, <u>if necessary</u>, or filing the information.</p> <p><u>Issue 2</u>: Should this docket be closed?</p> <p><u>Recommendation</u>: No. This docket should remain open pending the completion of the filing requirements by the utility and the establishment of resulting rates and charges for the utility.</p> <p><u>DECISION</u>: This item was deferred to a later Commission Conference.</p>

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<u>ITEM NO.</u>	<u>CASE</u>
45	<p>DOCKET NO. 991376-TL - Initiation of show cause proceedings against GTE Florida Incorporated for violation of service standards.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: GR DS JC Prehrg Officer GR</p> <p>Staff: LEG: Fordham CMU: Biegalski</p> <p><u>Issue 1</u>: Should the Commission grant OPC's Motion to Determine that GTE's Wilful Violation of the Commission's Quality of Service Rules since January 1, 1996 will be at Issue in this Proceeding? <u>Recommendation</u>: No. The Commission should not grant OPC's Motion to Determine that GTE's Wilful Violation of the Commission's Quality of Service Rules since January 1, 1996 will be at Issue in this Proceeding.</p> <p><u>Issue 2</u>: Should OPC's First Motion to Compel Against GTE be granted? <u>Recommendation</u>: Yes. OPC's First Motion to Compel Against GTE should be granted.</p> <p><u>Issue 3</u>: Should this Docket be closed? <u>Recommendation</u>: No. This Docket should remain open pending resolution of the remaining issues in the Show Cause Order.</p>

DECISION: The recommendation for Issue 1 was denied. The scope of the proceeding will be expanded to include the years 1996 and 1997, as well as 1998 and 1999. The recommendations for Issues 2 and 3 were approved.

Commissioners participating: Garcia, Deason, Jacobs

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ITEM NO.

CASE

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46 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.

Critical Date(s): None

Commissioners Assigned: GR JC JB  
Prehrg Officer JC

Staff: LEG: Stern, Elias  
EAG: Draper

Issue 1: Should the Commission grant TECO's Request for Approval of Proposed Procedures for a Disposition of This Proceeding Without Disclosing Confidential Information?

Recommendation: No. The Commission should deny TECO's Request because it violates fundamental principles of due process, and denies Allied the rights granted to parties to a formal hearing in Section 120.57(1)(b), Florida Statutes.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should not be closed.

DECISION: This item was deferred to the April 18, 2000 Commission Conference. Panel was reassigned to the full Commission.

Commissioners participating: Garcia, Jacobs, Jaber



ITEM NO.

CASE

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47

DOCKET NO. 991084-TP - Petition of Sprint Communications Company Limited Partnership for arbitration of complaint against BellSouth Telecommunications, Inc. for failure to comply with interconnection agreement.

Critical Date(s): None

Commissioners Assigned: DS CL JC  
Prehrg Officer JC

Staff: CMU: King  
LEG: Caldwell

Issue 1: Should the Commission acknowledge Sprint Communications Company Limited Partnership's Notice of Voluntary Dismissal?

Recommendation: Yes. The Commission should acknowledge Sprint Communications Company Limited Partnership's Notice of Voluntary Dismissal.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, the docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Clark, Jacobs

<u>ITEM NO.</u>	<u>CASE</u>
48	<p>DOCKET NO. 991267-TP - Complaint and/or petition for arbitration by Global NAPS, Inc. for enforcement of Section VI(B) of its interconnection agreement with BellSouth Telecommunications, Inc., and request for relief.</p> <p>Critical Date(s): None</p> <p>Hearing Date(s): 1/10/00, Talla., Prehrg., JC 1/25/00, Talla., DS CL JC</p> <p>Commissioners Assigned: DS CL JC Prehrg Officer JC</p> <p>Staff: CMU: Marsh LEG: B. Keating</p> <p><u>Issue 1</u>: Under their Florida Partial Interconnection Agreement, are Global NAPS, Inc. and BellSouth Telecommunications, Inc. required to compensate each other for delivery of traffic to Internet Service Providers (ISPs)? If so, what action, if any, should be taken? <u>Recommendation</u>: Yes. Staff believes that reciprocal compensation is due under the agreement adopted by GNAPS for all local traffic, including traffic to ISPs, at the rate set forth in the agreement.</p> <p><u>Issue 2</u>: Is the prevailing party entitled to attorney's fees under the agreement? <u>Recommendation</u>: Yes. The interconnection agreement provides that the prevailing parties are entitled to receive attorney's fees. Thus, if the Commission approves staff's recommendation in Issue 1, GNAPS would be entitled to attorney's fees.</p> <p><u>Issue 3</u>: Should this docket be closed? <u>Recommendation</u>: Yes, this docket should be closed.</p> <p><u>DECISION</u>: This item was deferred to the April 4, 2000 Commission Conference.</p>

Minutes of  
Commission Conference  
March 28, 2000

<u>ITEM NO.</u>	<u>CASE</u>
49	<p>DOCKET NO. 990149-TP - Petition by MediaOne Florida Telecommunications, Inc. for arbitration of an interconnection agreement with BellSouth Telecommunications, Inc. pursuant to Section 252(b) of the Telecommunications Act of 1996.</p> <p>Critical Date(s): None</p> <p>Hearing Date(s): 6/22/99, Talla., Prehrg., JC 7/9/99, Talla., DS CL JC</p> <p>Commissioners Assigned: DS CL JC Prehrg Officer JC</p> <p>Staff: CMU: King LEG: Fordham</p> <p><u>Issue 1</u>: Should the Commission approve the interconnection agreement between BellSouth and MediaOne? <u>Recommendation</u>: Yes, the Commission should approve the interconnection agreement between BellSouth and MediaOne.</p> <p><u>Issue 2</u>: Should this docket be closed? <u>Recommendation</u>: Yes. Docket No. 990149-TP should be closed.</p> <p><u>DECISION</u>: The recommendations were approved.</p> <p>Commissioners participating: Deason, Clark, Jacobs</p>

ITEM NO.

CASE

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50 DOCKET NO. 980657-WS - Application for amendment of Certificates Nos. 279-W and 226-S to add territory in Seminole County by Florida Water Services Corporation.

Critical Date(s): None

Commissioners Assigned: DS CL JC  
Prehrg Officer DS

Staff: WAW: Edwards, Messer  
LEG: Brubaker

Issue 1: Should the Commission acknowledge the withdrawals of the protests to Florida Water Services Corporation's application for amendment of Certificates Nos. 279-W and 226-S to add territory in Seminole County?

Recommendation: Yes, the Commission should acknowledge the withdrawals of the protests to Florida Water Services Corporation's application for amendment of Certificates Nos. 279-W and 226-S to add territory in Seminole County.

Issue 2: Should Florida Water Services Corporation's amended application for amendment of Water Certificate No. 279-W and Wastewater Certificate No. 226-S be approved?

Recommendation: Yes. The Commission should approve Florida Water Services Corporation's amended application for the additional territory described in Attachment A of staff's March 16, 2000 memorandum. Florida Water Services Corporation should charge these customers its approved rates and charges until authorized to change by this Commission in a subsequent proceeding.

Issue 3: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issues 1 and 2, no further action is necessary and the docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Clark, Jacobs

ITEM NO.

CASE

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51 DOCKET NO. 990696-WS - Application for original certificates to operate water and wastewater utility in Duval and St. Johns Counties by Nocatee Utility Corporation.  
DOCKET NO. 992040-WS - Application for certificates to operate a water and wastewater utility in Duval and St. Johns Counties by Intercoastal Utilities, Inc. (Deferred from the 2/29/00 Commission Conference.)

Critical Date(s): None

Commissioners Assigned: DS JC  
Prehrg Officer DS

Staff: LEG: Cibula, Van Leuven  
WAW: Rehwinkel, Redemann

Issue 1: Should the Commission grant St. Johns County's Request for Oral Argument?

Recommendation: No. The Commission should deny St. Johns County's Request for Oral Argument because it is not in compliance with Rule 25-22.058, Florida Administrative Code. However, the County should be permitted to address the Commission during the course of discussion on this item at the agenda conference since the matter has not yet been to hearing.

Issue 2: Should DDI, Inc. and Nocatee Utility Corporation's Joint Motion to Dismiss or, in the Alternative, to Preclude Re-Litigation of Issues be granted?

Recommendation: No. Staff recommends that DDI and NUC's Joint Motion to Dismiss be denied. In addition, staff recommends that DDI and NUC's alternative request that the Commission issue an Order precluding the re-litigation of issues be denied.

Issue 3: Should the Commission grant St. Johns County's Motion to Dismiss Intercoastal Utilities, Inc.'s application?

Recommendation: No. The Commission should deny St. Johns County's Motion to Dismiss Intercoastal Utilities, Inc.'s application.

Issue 4: Should these dockets be closed?

Recommendation: No. If the Commission approves staff's recommendations on Issues 2 and 3, these dockets should remain open to allow these matters to proceed to hearing.

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

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<u>ITEM NO.</u>	<u>CASE</u>
52	<p>DOCKET NO. 991812-SU - Application for transfer of Certificate No. 492-S in Franklin County from Resort Village Utility, Inc. to SGI Utility, LLC.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: DS CL JB Prehrg Officer CL</p> <p>Staff: LEG: Christensen WAW: Johnson</p> <p><u>Issue 1</u>: Should Resort Village's Motion to Dismiss the objection filed by Mr. Adams be granted? <u>Recommendation</u>: Yes, Resort Village's Motion to Dismiss the objection filed by Mr. Adams should be granted. Because Mr. Adams has not demonstrated that his substantial interests will be affected by this process, his protest should be dismissed for lack of standing.</p> <p><u>Issue 2</u>: Should this docket be closed? <u>Recommendation</u>: No. This docket should remain open pending final disposition of the application for transfer of Certificate 492-S from Resort Village to SGI.</p>

DECISION: The recommendations were approved.

Commissioners participating: Deason, Clark, Jaber

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<u>ITEM NO.</u>	<u>CASE</u>
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53                 DOCKET NO. 991511-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 3192 issued to USLD Acquisition Corp. II d/b/a Omni Communications, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: DS JC JB  
  Prehr Officer JC

Staff: CMU: Isler  
          LEG: Stern

Issue 1: Should the Commission grant USLD Acquisition Corp. II d/b/a Omni Communications, Inc. a voluntary cancellation of its Interexchange Telecommunications Certificate No. 3192?

Recommendation: Yes. The Commission should grant the company a voluntary cancellation of its interexchange telecommunications certificate with an effective date of March 6, 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: Deason, Jacobs, Jaber

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