

MINUTES OF
COMMISSION CONFERENCE, TUESDAY, SEPTEMBER 26, 2000
COMMENCED: 9:30 a.m.
ADJOURNED: 12:30 p.m.

COMMISSIONERS PRESENT: Chairman Deason
Commissioner Jacobs
Commissioner Jaber
Commissioner Baez

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

1 Approval of Minutes
August 15, 2000 Commission Conference

DECISION: The minutes were approved.

Commissioners participating: Deason, Jacobs, Jaber

2** Consent Agenda

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

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
001218-TC	SOBE Communications Corp.
001248-TC	Juan Hermoza
001276-TC	Pomona Enterprises, Inc. d/b/a ROTEL Communications
001232-TC	Robert E Jennings and Jeff S Jennings d/b/a R & J Communications

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

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
000788-TX	Verizon Advanced Data Inc.

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<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
000573-TX	GTC Telecom, Inc. d/b/a Curbside Communications
001142-TX	Telera Communications, Inc.
000734-TX	Everest Connections Corporation
000821-TX	Vitts Networks, Inc.
000792-TX	ServiSense.com, Inc.
000832-TX	Seven Bridges Communications, L.L.C.
001117-TX	Suntel Metro, Inc.
000695-TX	Looking Glass Networks, Inc.
000811-TX	IPVoice Communications, Inc.
000862-TX	Frontier Communications of America, Inc.
001007-TX	Enron Broadband Services, Inc.

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

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
000794-TI	CoreComm Florida, Inc.
001143-TI	Telera Communications, Inc.
000822-TI	Vitts Networks, Inc.
000812-TI	IPVoice Communications, Inc.
000840-TI	Broadband Communications Corporation d/b/a BCI d/b/a BCC

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	<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
	000850-TI	Enhanced Global Convergence Services, Inc. d/b/a eGCS
	000863-TI	Frontier Communications of America, Inc.
	000741-TI	Birch Telecom of the South, Inc.
PAA	D)	DOCKET NO. 001206-TX - Request for cancellation of Alternative Local Exchange Telecommunications Certificate No. 6060 by Megsinet-CLEC, Inc., effective 8/22/00.
PAA	E)	Requests for cancellation of interexchange telecommunications certificate.
	<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
	001272-TI	Northwest Nevada Telco, Inc.
	001286-TI	Dearborn Street Station, Inc. d/b/a DSS Communications
	001205-TI	Megsinet-CLEC, Inc.
PAA	F)	DOCKET NO. 001191-TI - Request for approval of asset purchase agreement whereby Arel Acquisition, Inc. will purchase substantially all assets of W2Com, L.L.C., which assets include 100% of the membership interest in W2COM International,

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Consent Agenda

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LLC (holder of IXC Certificate
No. 7373).

G) DOCKET NO. 000983-TP - Petition
by Sprint-Florida, Incorporated
for approval of interconnection
agreement with Sprint Spectrum,
L.P. and SprintCom, Inc.
(Critical Date: 10/26/00)

H) Requests for approval of resale
agreements.

DOCKET NO. 000857-TP -Verizon Florida Inc. (f/k/a GTE
Florida Incorporated) with Southern ReConnect, Inc.
(Critical Date: 10/12/00)

DOCKET NO. 000993-TP -BellSouth Telecommunications,
Inc. with NorCom, Inc.
(Critical Date: 10/29/00)

I) DOCKET NO. 000847-TP - Petition
by Sprint-Florida, Incorporated
for approval of interconnection
and resale agreement with JATO
Operating Two Corp.
(Critical Date: 10/10/00)

J) DOCKET NO. 000984-TP - Petition
by Sprint-Florida, Incorporated
for approval of interconnection,
unbundling, and resale agreement
with Ernest Communications, Inc.
(Critical Date: 10/26/00)

K) Requests for approval of paging
agreements.

DOCKET NO. 000888-TP -BellSouth Telecommunications,
Inc. with Superbeepers Electronics, Inc.
(Critical Date: 10/18/00)

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DOCKET NO. 000905-TP -BellSouth Telecommunications,
Inc. with Priority Paging, Inc.
(Critical Date: 10/19/00)

L) DOCKET NO. 000947-TP - Petition
by Verizon Florida Inc. (f/k/a
GTE Florida Incorporated) for
approval of amendment to
existing interconnection
agreement with BellSouth
Cellular Corp.
(Critical Date: 10/23/00)

M) Requests for approval of
amendments to resale agreements.

Docket NO. 000860-TP -BellSouth Telecommunications,
Inc. with Budget Phone, Inc.
(Critical Date: 10/12/00)

DOCKET NO. 000861-TP -BellSouth Telecommunications,
Inc. with 1-800-RECONEX, Inc.
(Critical Date: 10/12/00)

DOCKET NO. 000870-TP -BellSouth Telecommunications,
Inc. with CAT Communications International, Inc.
(Critical Date: 10/15/00)

DOCKET NO. 000871-TP -BellSouth Telecommunications,
Inc. with DPI Teleconnect, LLC.
(Critical Date: 10/15/00)

DOCKET NO. 000874-TP -BellSouth Telecommunications,
Inc. with EZ Talk Communications, LLC. (Critical
Date: 10/15/00)

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

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DOCKET NO. 000858-TP -BellSouth Telecommunications,
Inc. with 2nd Century Communications, Inc.

(Critical Date: 10/12/00)

DOCKET NO. 000859-TP -BellSouth Telecommunications,
Inc. with Kexa Corp d/b/a Capital Exploration.

(Critical Date: 10/12/00)

DOCKET NO. 000872-TP -BellSouth Telecommunications,
Inc. with Actel Integrated Communications, Inc.

(Critical Date: 10/15/00)

DOCKET NO. 000873-TP -BellSouth Telecommunications,
Inc. with Level 3 Communications, LLC.

(Critical Date: 10/15/00)

DOCKET NO. 000875-TP -BellSouth Telecommunications,
Inc. with Interloop, Inc.

(Critical Date: 10/15/00)

DOCKET NO. 000880-TP -BellSouth Telecommunications,
Inc. with Allegiance Telecom of Florida, Inc.

(Critical Date: 10/16/00)

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

DOCKET NO. 000876-TP -BellSouth Telecommunications,
Inc. with Pathnet, Inc. d/b/a Pathnet Communications,
Inc.

(Critical Date: 10/15/00)

DOCKET NO. 000877-TP -BellSouth Telecommunications,
Inc. with NorthPoint Communications, Inc.

(Critical Date: 10/15/00)

DOCKET NO. 001274-TP -AT&T Communications of the
Southern States d/b/a AT&T with GTE Florida
Incorporated (n/k/a Verizon Florida, Inc.)

(Critical Date: 11/28/00)

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Consent Agenda

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- P) DOCKET NO. 001060-EI - Tampa Electric Company's application for authority to issue and sell securities for the twelve-month period beginning January 1, 2001 and ending December 31, 2001. The Company seeks approval pursuant to Chapter 25-8, Florida Administrative Code, and Section 366.04, Florida Statutes, for authority to issue and sell long-term debt and equity securities, as well as short-term debt. In addition, the Company also seeks authority to enter into interest rate swaps or other derivative instruments on debt securities and notes. The amount of all long-term debt and equity securities issued will not exceed \$900 million. The Company also proposes to issue short-term debt to be sold in the commercial market, the total amount of commercial paper not to exceed \$400 million.
- Q) Application for certificate to provide alternative access vendor services.

DOCKET NO.	COMPANY NAME
001408-TA	Enron Broadband Services, Inc.

Issue: The Commission should approve the action requested in the dockets referenced above and close these dockets,

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Consent Agenda

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with the exception of Docket No. 001060-EI, which must remain open for monitoring purposes.

DECISION: The recommendation was approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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3**

DOCKET NO. 981104-EU - Proposed amendment of Rule 25-6.049, F.A.C., Measuring Customer Service.

Critical Date(s): None

Rule Status: Proposed

Commissioners Assigned: Full Commission
Prehrg Officer JC

Staff: APP: Bellak
ECR: Wheeler

Issue 1: Should the amendment to Rule 25-6.049, F.A.C., be withdrawn?

Recommendation: Yes. The amendment to Rule 25-6.049, F.A.C., should be withdrawn.

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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4 DOCKET NO. 000643-EU - Petition for declaratory statement regarding applicability of individual meter rule exemption in Rule 25-6.049(5)(a)3, F.A.C., to Valencia Area Condominium Association, Inc. (Deferred from 9/5/00 Commission Conference.)

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: APP: Bellak
ECR: Wheeler

(PARTIES MAY PARTICIPATE AT THE COMMISSION'S DISCRETION.)

Issue 1: Should the Commission grant Florida Power & Light's petition to intervene?

Recommendation: Yes. FPL's petition to intervene should be granted.

Issue 2: Should the Commission conduct an informal hearing regarding Valencia's request for declaratory statement?

Recommendation: No. The request for an informal hearing should be denied.

Issue 3: Should the Commission grant Valencia Area Condominium Association's petition for declaratory statement?

Recommendation: No.

Issue 4: Should this docket be closed?

Recommendation: Yes, unless post-decision motions are filed.

DECISION: This item was withdrawn.

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5 DOCKET NO. 000798-TP - Petition for declaratory statement interpreting provisions of Sections 364.052(2) and 364.337(1), F.S. by Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: APP: Bellak
CMP: Dowds

(PARTIES MAY PARTICIPATE AT THE COMMISSION'S DISCRETION.)

Issue 1: Should the Commission issue a declaratory statement to explain how the referenced statutes apply to TDS?

Recommendation: Yes. The Commission should issue a Declaratory Statement as requested by TDS.

Issue 2: Under the facts as alleged, will TDS be rate base, rate of return regulated or subject to price regulation as of January 1, 2001 and thereafter (absent an ALEC providing basic telecommunications service in TDS's territory)?

Recommendation: TDS will be rate base, rate of return regulated, under those facts.

Issue 3: Would the ALEC's provision of basic telecommunications service on either a stand-alone or bundled basis trigger TDS's being subject to price regulation? When would the triggering event occur?

Recommendation: Only the provision of stand-alone basic telecommunications service by an ALEC would trigger TDS's being subject to price regulation.

Issue 4: Could TDS, prior to January 1, 2001, voluntarily permit an ALEC to resell basic service, if TDS has not chosen to be price regulated?

Recommendation: No. TDS cannot decline price regulation during the pre-January 1, 2001 regime and permit an ALEC to resell basic service.

Issue 5: Should this docket be closed?

Recommendation: Yes. This docket should be closed.

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5	DOCKET NO. 000798-TP - Petition for declaratory statement interpreting provisions of Sections 364.052(2) and 364.337(1), F.S. by Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone.

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DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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6**

DOCKET NO. 001059-GU - Petition by Tampa Electric Company d/b/a Peoples Gas System for approval of revisions to natural gas tariff, to extend applicability of Trip Charge/Collection at Customer Premises to West Florida Region.

Critical Date(s): 10/3/00 (60-Day suspension date)

Commissioners Assigned: Full Commission
Prehrg Officer JB

Staff: CMP: Brown, Bulecza-Banks
LEG: K. Walker

Issue 1: Should the Commission approve Peoples Gas System's (Peoples) petition for approval of revisions to its Natural Gas Tariff, Original Volume No. 3, which would extend the applicability of the Company's Trip Charge/Collection at Customer Premises to the Company's West Florida Region?

Recommendation: Yes. The Commission should approve Peoples' petition for approval of revisions to its Natural Gas Tariff, which would extend the applicability of its Trip Charge/Collection at Customer Premises to its West Florida Region.

Issue 2: Should this docket be closed?

Recommendation: Yes, if no protest is filed within 21 days of the issuance of the Order. If a protest is filed with in 21 days from the issuance of the Order, the tariff should remain in effect with any increase held subject to refund, pending resolution of the protest.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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7**

DOCKET NO. 000922-GU - Joint petition for approval of gas transportation agreement, request for authority to accrue allowance for funds used during construction (AFUDC), and request for expedited treatment, by Florida Public Utilities Company and Lake Worth Generation, LLC.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: McKee, Makin, Bulecza-Banks
ECR: C. Romig, L. Romig
LEG: Hart

Issue 1: Should the Commission approve the Gas Transportation Agreement between Florida Public Utilities Company (FPUC or Company) and Lake Worth Generation, LLC (LWG)?

Recommendation: Yes. The Commission should approve the Gas Transportation Agreement between FPUC and LWG, effective the date of the Commission vote.

Issue 2: Should the Company's request to accrue AFUDC on the FPUC/LWG project be approved?

Recommendation: No. The interest the Company is authorized to capitalize should be limited to the interest calculated using the method prescribed by Section 263(A), Internal Revenue Code (IRC), as agreed to by the Company.

Issue 3: Should the Commission authorize FPUC to charge an overall rate of return of 11.17% on its net investment in dedicated facilities serving LWG?

Recommendation: Yes. The Commission should approve the Gas Transportation Agreement providing the negotiated return by FPUC and LWG. Approval of the Agreement will not change the authorized return on equity for FPUC as a whole.

Issue 4: Should this docket be closed?

Recommendation: Yes. If no protest is filed by a person whose substantial interests are affected within 21 days of the issuance of the Order, this docket should be closed upon the issuance of a Consummating Order.

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CASE

DECISION: The recommendations were approved with clarification by staff at the conference that the item is proposed agency action.

Commissioners participating: Deason, Jacobs, Jaber, Baez

8**

DOCKET NO. 000258-TL - Investigation into telephone exchange boundary issues in St. Augustine and Palm Coast exchanges (Daytona Beach and Jacksonville LATA boundaries).

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer - Pending

Staff: CMP: Ileri
LEG: B. Keating

Issue 1: Based on the results of the subscriber survey, should the customers in the Flagler County pocket of the St. Augustine exchange be transferred to the Palm Coast exchange?

Recommendation: No. Based on the results of the subscriber survey, staff recommends that the customers should not be transferred. The survey results, which are summarized in Table A of staff's September 14, 2000 memorandum, indicate that, although a sufficient number of ballots were returned to satisfy the criteria specified in Order No. PSC-00-0825-PAA-TL, the majority chose not to be transferred.

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, Baez

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9**

DOCKET NO. 001019-TC - Cancellation by Florida Public Service Commission of PATs Certificate No. 5377 issued to Kellee Communications Group, Inc. for violation of Rule No. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Elliott

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

Recommendation: Yes. The Commission should accept the company's settlement proposal. 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. 5377 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: Deason, Jacobs, Jaber, Baez

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10**PAA

DOCKET NO. 001005-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 5069 issued to Gang of Five, Inc. d/b/a Club Five for violation of Rule No. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Elliott

Issue 1: Should the Commission grant Gang of Five, Inc. d/b/a Club Five a voluntary cancellation of PATS Certificate No. 5069?

Recommendation: No. The Commission should not grant the company a voluntary cancellation of its pay telephone certificate. The Commission should cancel the company's Certificate No. 5069 on its own motion, effective on the date of issuance of the Consummating Order. In the event the company fails to pay the past due fees, the collection of the fees should be referred to the Comptroller's Office for further collection efforts.

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: Deason, Jacobs, Jaber, Baez

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11**PAA

Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

DOCKET NO. 000964-TC - Stephen Dennis Atkin

DOCKET NO. 001022-TC - Raymond Rodriguez

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Elliott

Issue 1: Should the Commission impose a \$500 fine or cancel each company's respective certificate listed on page 6 of staff's September 14, 2000 memorandum 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 respective certificate as listed on page 6 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 pay telephone certificates listed on page 6 should be canceled administratively and the collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts.

ITEM NO.

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11**PAA

Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

(Continued from previous page)

Issue 2: Should the Commission impose a \$500 fine or cancel each company's respective certificate listed on page 6 for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate as listed on page 6 if the information required by Rule 25-24.520, F.A.C., Reporting Requirements, and the fine 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 required information are not received, the pay telephone certificates listed on page 6 should be canceled administratively.

Issue 3: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fines, fees, and required information 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. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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12**PAA

DOCKET NO. 000968-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4368 issued to James M. Bracewell d/b/a Southern Tele-Communications for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should James M. Bracewell d/b/a Southern Tele-Communications' Pay Telephone Certificate No. 4368 be cancelled for apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should cancel James M. Bracewell d/b/a Southern Tele-Communications' Pay Telephone Certificate No. 4368 for apparent violation of Rule 25-4.0161, F.A.C. If the past due fee, including statutory penalty and interest charges, is not received within five business days after the issuance of the Consummating Order, the amount shall be turned over to the Office of the Comptroller for collection. If the Commission's Order is not protested, the company's Certificate No. 4368 should be cancelled administratively.

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon 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.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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13**

DOCKET NO. 000912-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3243 issued to R.J. Tewson d/b/a Suncoast Communications for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should the Commission accept the settlement offer proposed by R.J. Tewson d/b/a Suncoast Communications 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. 3243 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 \$175 contribution or cancellation of the certificate.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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14**PAA

DOCKET NO. 000979-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4972 issued to Starbrite Payphones for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should the Commission impose a \$1,000 fine or cancel Starbrite Payphones' PATS certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$1,000 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 Service Certificate No. 4972 should be canceled administratively.

Issue 2: Should this docket be closed?

Recommendation: Yes. 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.

DECISION: The recommendations were approved.

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<u>ITEM NO.</u>	<u>CASE</u>
14**PAA	DOCKET NO. 000979-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4972 issued to Starbrite Payphones for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

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Commissioners participating: Deason, Jacobs, Jaber, Baez

