

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of Pay  
Telephone Certificate No. 5232  
issued to Florida Coast Systems  
Inc. 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. 981487-TC  
ORDER NO. PSC-99-1756-AS-TC  
ISSUED: September 8, 1999

The following Commissioners participated in the disposition of  
this matter:

JOE GARCIA, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JULIA L. JOHNSON  
E. LEON JACOBS, JR.

ORDER ACCEPTING SETTLEMENT OFFER

BY THE COMMISSION:

Florida Coast Systems, Inc. (Florida Coast Systems) currently holds PATS Certificate No. 5232 issued by the Commission on October 8, 1997, authorizing the provision of pay telephone service. Our Division of Administration determined that Florida Coast Systems had not paid the regulatory assessment fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 1997.

On January 20, 1999, Order No. PSC-99-0100-FOF-TC was issued to impose a \$500 fine for non-payment of the fees and accrued

DOCUMENT NUMBER-DATE  
10742 SEP-89  
PSC-RECORDS/REPORTING

ORDER NO. PSC-99-1756-AS-TC  
DOCKET NO. 981487-TC  
PAGE 2

statutory penalties and interest charges. Subsequently, the company responded to the order by letter dated January 27, 1999. In this letter, the company provided proof that it had paid the 1997 RAFs on a timely basis. However, the company's response did not provide the information required in the Order concerning the reporting requirements violation or pay the \$500 fine. Thus, on June 8, 1999, Order No. PSC-99-1174-FOF-TC was issued vacating that portion of Order No. PSC-99-0100-FOF-TC ordering a fine for non-payment of RAFs but retaining the imposition of a \$500 fine for reporting violations. Subsequently, on June 17, 1999, the company filed a Motion for Reconsideration of the reporting violations fine. The company maintains it had reported the information, as required, in a timely manner.

We reaffirm the findings of Order No. PSC-99-1174-FOF-TC which stated that Florida Coast Systems attempted to provide the updated information; however, we conclude the information was not filed in accordance with Rule 25-24.520, Florida Administrative Code. Thus, the imposition of the \$500 fine was appropriate. Florida Coast Systems offered a \$100 settlement for disposition of the pending fine for apparent violation of the reporting requirements rule.

We believe that the terms of the settlement offer represent a fair and reasonable resolution of this matter. Any contribution should be received by the Commission within ten business days from the issuance date of the Commission Order and should identify the docket number and company name. If the company fails to pay in accordance with the terms of the Commission Order, the company's certificate should be canceled with an effective date of December 31, 1998.

Based on the foregoing, it is

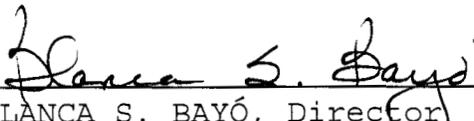
ORDERED by the Florida Public Service Commission that Florida coast Systems, Inc.'s settlement offer is hereby approved. It is further

ORDER NO. PSC-99-1756-AS-TC  
DOCKET NO. 981487-TC  
PAGE 3

ORDERED that this docket shall remain open pending the receipt of the \$100 contribution. If the company fails to pay in accordance with the terms of this Commission Order, the company's certificate should be canceled with an effective date of December 31, 1998. It is further

ORDERED that upon receipt of the \$100 contribution, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 8th day of September, 1999.

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

CBW

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee,

ORDER NO. PSC-99-1756-AS-TC  
DOCKET NO. 981487-TC  
PAGE 4

Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.