

STATE OF FLORIDA

Commissioners:  
J. TERRY DEASON, CHAIRMAN  
E. LEON JACOBS, JR.  
LILA A. JABER



DIVISION OF COMPETITIVE SERVICES  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

Public Service Commission

August 29, 2000

Ms. Vanessa Gonzalez  
3300 NW South River Drive  
Miami, FL 33142-6952

Re: Docket No. 000938-TC  
Pedro Gonzalez

Dear Ms. Gonzalez:

This is a follow up to your telephone call yesterday to the Commission and my conversation of today with Mr. Canales. He advised me that Mr. Gonzalez is no longer in the payphone business and wants his Pay Telephone Certificate No. 3932 cancelled voluntarily.

The regulatory assessment fee (RAF) is due each year by January 30 for the previous year, unless the 30th falls on a weekend, then the due date is the next working day. For example, the 1999 fee was due January 31, 2000.

Commission records show that as of this date, the 1999 RAF has not been paid. The 1999 RAF return is attached. Please complete and return it along with your check for the past due amount in full. The RAF is .0015% of your total Florida gross revenues, or \$50.00, whichever is greater. However, if you owe only the minimum amount and if your check is postmarked by August 31, 2000, the 1999 total is \$66.00 (\$50.00 fee, \$12.50 penalty, and \$3.50 interest). If, however, your check is postmarked in September, the 1999 total increases to \$66.50 (\$50.00 fee, \$12.50 penalty, and \$4.00 interest).

Even though Mr. Canales advised that Mr. Gonzalez wanted to cancel his certificate, wanted to give him all of the options available at this point.

- (1) Cancel the certificate voluntarily - Pay all past due charges in full, pay the current year's RAF or provide a date certain that it will be paid (such as 30 days from the date of the Commission Order cancelling your certificate), and write a letter requesting cancellation. A copy of our rule is attached.

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Ms. Vanessa Gonzalez

Page 2

August 29, 2000

- (2) Do nothing - In this case, your certificate will be cancelled on the Commission's own motion. All outstanding RAFs, including penalty and interest charges, will be turned over to the Comptroller's Office for collection. In addition, Rule 25-24.511(5), F.A.C., states that "Only one certificate per applicant will be granted. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled." This means that if you choose this option, you could not reapply for a new certificate at a later date.
- (3) Propose a settlement - There is normally a \$500 fine imposed for this rule violation. You need to write the Commission a settlement letter that must include the following:
  - Docket number;
  - A check for the past due amount in full;
  - A statement that it has taken steps to prevent future late payments of the regulatory assessment fees; and
  - Make a specific monetary settlement.

Any settlement offer should be addressed to Ms. Blanca Bayó, Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. The proposed settlement amount should not be paid at this time, instead only the past due regulatory assessment fee, plus penalty and interest charges should be paid. The settlement amount, if approved by the Commission, must be paid within 10 business days after the Commission Order is issued.

Your docket is currently scheduled for the 09/05 Agenda Conference. What this means is that a recommendation has been filed to impose a \$500 fine for nonpayment of the RAF. However, if you want the certificate voluntarily cancelled and if send in your payment for the 1999 and 2000 fees in full, along with Mr. Gonzalez's letter requesting voluntary cancellation, I will take another recommendation back to the Commissioners and recommend that the certificate be cancelled voluntarily without the fine.

Please let me know what your decision is within 15 days from the date of this letter, or if you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, and by internet e-mail at [pisler@psc.state.fl.us](mailto:pisler@psc.state.fl.us).

Ms. Vanessa Gonzalez  
Page 3  
August 29, 2000

Sincerely,



Paula J. Isler, Research Assistant  
Bureau of Service Quality & Compliance

Enclosures

cc: Docket No. 000938-TC  
Division of Legal Services (Dandelake)