

M E M O R A N D U M

November 6, 1998

RECEIVED-FPSC

90 NOV -6 PM 3:46

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (BEDELL) *CB*

RE: DOCKET NO. 980553-TI - Initiation of show cause proceedings against Telaleasing Enterprises, Inc. for violation of Rule 25-24.485, F.A.C., Tariffs, Rules Incorporated.

Attached is an ORIGINAL LETTER FROM TEI DATED 10/29/98 AND A COPY OF THE CHECK FOR OVERCHARGES AND FINE, to be filed in the above-referenced docket.

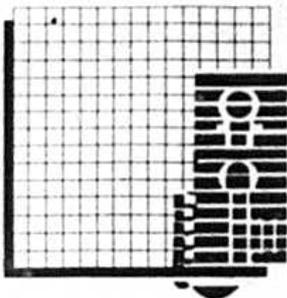
CB/slh
Attachment

ACK _____
AFA _____
APP _____
CAF _____
CMM _____
CTR _____
EAG _____
LEG _____
LIN _____
OPC _____
RCH _____
SEC 1 _____
WAS _____
OTH _____

DOCUMENT NUMBER-DATE

12543 NOV-6 98

FPSC-RECORDS/REPORTING



TEI DAVEL COMMUNICATIONS GROWMAIL ROOM

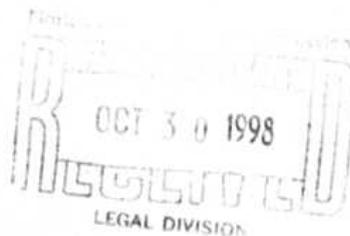
1429 Massaro Blvd. • Tampa, Florida • 33619 • Phone (813) 623-3545 • Fax (813) 626-9610

RECEIVED
PUBLIC SERVICE COMMISSION
98 OCT 30 AM 10:27

Via Federal Express

October 29, 1998

Florida Public Service Commission
Attn: Kathy Bedell
Capitol Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



Re: Docket No. 980553-TI Order No. PSC-98-1436-AS-TI
Initiation of show cause proceedings against Telaleasing Enterprises, Inc. for
violation of Rule 25-24.485, F.A.C., Tariffs, Rules Incorporated

Dear Ms. Bedell:

In accordance with above mentioned Docket and Order please find the enclosed check for \$28,610.00 plus a fine of \$1,000.00 offered to settle the overcharges of Davel Prepaid Phone Cards.

If you require any further information, please feel free to contact me at (813)623-3545 extension 274.

Sincerely,

Darcy L. Delaney

Darcy L. Delaney
Regulatory Administrator

*Cathy
Check taken
to Fiscal.
CC*

Docket # 980553

CONTROL NO.	CHECK DATE	VENDOR NO.	AMOUNT	DISCOUNT TAKEN	NET AMOUNT
245414	10/28/98	10/28/98	29,610.00		29,610.00
			-----	-----	
			29,610.00		29,610.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

TELALEASING ENTERPRISES, INC.
 OPERATING ACCOUNT
 1429 MASSARO BOULEVARD
 TAMPA, FL 33618-3005

CHECK NO. 00162667

CONTROL NO. 00162667
 CHECK DATE 10/28/98
 VENDOR NO. 113426

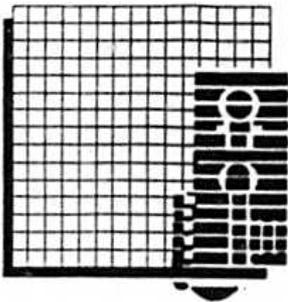
FIRST UNION NATIONAL BANK
 OF GEORGIA
 ATLANTA, GA
 84-22
 810

TWENTY NINE THOUSAND SIX HUNDRED TEN AND 00/100 *****

CHECK AMOUNT \$****29,610.00

PAY TO THE ORDER OF
 FLORIDA PUBLIC SERVICE COMM
 2540 SHUMARD OAK BLVD
 TALLAHASSEE FL 32399-0850

[Handwritten Signature]



DEPOSIT DATE
D027 → OCT 30 1998

RECEIVED
STATE COMMISSION
98 OCT 30 AM 10:27

TEI DAVAL COMMUNICATIONS GROUP MAIL ROOM
1429 Massaro Blvd. • Tampa, Florida • 33619 • Phone (813) 623-3545 • Fax (813) 626-9610

Via Federal Express

October 29, 1998

Florida Public Service Commission
Attn: Kathy Bedell
Capitol Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

OCT 30 1998
LEGAL DIVISION

Re: Docket No. 980553-TI Order No. PSC-98-1436-AS-TI
Initiation of show cause proceedings against Telaleasing Enterprises, Inc. for
violation of Rule 25-24.485, F.A.C., Tariffs, Rules Incorporated

DOCUMENT NUMBER-DATE
12181 NOV-2 98

Dear Ms. Bedell:

In accordance with above mentioned Docket and Order please find the enclosed check for \$28,610.00 RAR plus a fine of \$1,000.00 offered to settle the overcharges of Davel Prepaid Phone Cards.

Caylen Lewis
Catherine B...-2

Sec

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK. HOLD AT AN ANGLE TO VIEW

TELALEASING ENTERPRISES, INC.
OPERATING ACCOUNT
1429 MASSARO BOULEVARD
TAMPA, FL 33619-3005

CHECK NO. 00162667

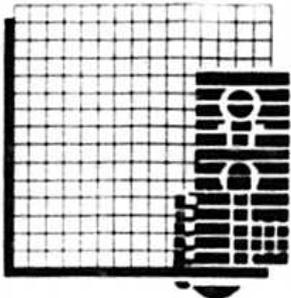
CONTROL NO. CHECK DATE VENDOR NO.
00162667 10/28/98 113426

FIRST UNION NATIONAL BANK
OF GEORGIA
ATLANTA, GA

TWENTY NINE THOUSAND SIX HUNDRED TEN AND 00/100

\$ 28,610.00

PAY TO THE ORDER OF
FLORIDA PUBLIC SERVICE COMM
2540 SHUMARD OAK BLVD
TALLAHASSEE FL 32399-0850



DEPOSIT
D027

DATE
OCT 30 1998

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OCT 30 1998
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Re: Docket No. 980553-TI Order No. PSC-98-1436-AS-TI
Initiation of show cause proceedings against Telaleasing Enterprises, Inc. for
violation of Rule 25-24.485, F.A.C., Tariffs, Rules Incorporated

Dear Ms. Bedell:

In accordance with above mentioned Docket and Order please find the enclosed check for \$28,610.00 RAR -
plus a fine of \$1,000.00 offered to settle the overcharges of Davel Prepaid Phone Cards. *C. Taylor Lewis*
Catherine Bedell
If you require any further information, please feel free to contact me at (813)623-3545 extension 274.

Sincerely,

Darcy L. Delaney

Darcy L. Delaney
Regulatory Administrator

MAIL ROOM
98 OCT 30 PM 1:42
RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Telaleasing Enterprises, Inc. for violation of Rule 25-24.485, F.A.C., Tariffs, Rules Incorporated.

DOCKET NO. 980553-TI
ORDER NO. PSC-98-1436-AS-TI
ISSUED: October 26, 1998

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

On November 5, 1997, Commission staff made a series of test calls using a Davel Prepaid Phone Card issued by Telaleasing Enterprises, Inc. (TEI), and then requested the call record. An apparent discrepancy in the rates being charged and the rates stated in the filed tariff was discovered. TEI stated that the discrepancy occurred due to an administrative programming error.

By letter dated March 18, 1998, TEI disclosed the following information:

1. The rates changed on July 1, 1997, with an application of a \$0.57 per call surcharge.
2. From January 1, 1997, to July 1, 1997, a total of 9,590 cards were in circulation. From July 1, 1997, to February 28, 1998, an additional 17,704 were activated.
3. The total amount of additional revenue derived from the application of the \$0.57 per call surcharge from July 1, 1997, to February 28, 1998 was \$28,610.

4. A total of 6 complaints were received concerning the additional surcharge.

On June 15, 1998, TEI offered as settlement a \$28,610 contribution plus a \$1,000 fine payable to the State of Florida General Revenue Fund. TEI's offer is attached and incorporated herein as Attachment A.

TEI would not be able to identify the individual prepaid phone card users affected by the unauthorized surcharge. Normally, no customer information is obtained when selling prepaid phone cards. Therefore, we believe that payment to the State of Florida General Revenue Fund of the revenues collected in excess of the tariff is appropriate. Accordingly, we approve TEI's settlement proposal of a \$28,610 payment plus a \$1,000 fine.

TEI shall have five business days from the issuance of the Commission's order to submit the settlement amount to this Commission. The collected monies shall be forwarded to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund pursuant to Section 364.285(i), Florida Statutes. If TEI fails to pay the settlement amount, the Commission shall require TEI to show cause why its certificate should not be canceled for failure to comply with the Commission's rules and this Order.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the June 15, 1998, offer of settlement by Telaleasing Enterprises, Inc., is hereby approved. It is further

ORDERED that Telaleasing Enterprises, Inc. shall remit to the Commission for forwarding to the State of Florida General Revenue Fund, a voluntary contribution of \$28,610 plus \$1,000 fine, within five business days of this Order becoming final. It is further

ORDERED that upon remittance of the full settlement amount, this docket shall be closed.

ORDER NO. PSC-98-1436-AS-TI
DOCKET NO. 980553-TI
PAGE 3

By ORDER of the Florida Public Service Commission this 26th
day of October, 1998.

/s/ Kay Flynn
KAY FLYNN, Chief
Bureau of Records

This is a facsimile copy. A signed
copy of the order may be obtained by
calling 1-850-413-6770.

(S E A L)

SOME (OR ALL) ATTACHMENT PAGES ARE NOT ON ELECTRONIC DOCUMENT.

CB

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, 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.