

M E M O R A N D U M

May 17, 2000

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RECORDS AND REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (VACCARO) ✓

RE: DOCKET NO. 000215-TX - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST SMART CITY NETWORKS FOR APPARENT VIOLATION OF SECTION 364.183(1), F.S., ACCESS TO COMPANY RECORDS.

Please place the attached letter from David Erwin, dated May 15, 2000, in the above-referenced docket file. Thank you.

TV:sa  
Attachment

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May 15, 2000

Tim Vaccaro  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

MAY 16 2000  
FLORIDA PUBLIC SERVICE COMMISSION  
LEGAL DIVISION

In re: Docket No. 000215-TX- Show Cause Against Smart City Networks

Dear Mr. Vaccaro:

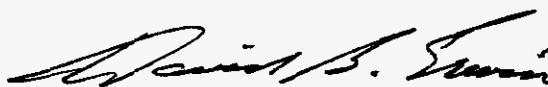
On May 1, 2000, I responded to Show Cause Order No. PSC-00-0673-SC-TX, on behalf of Smart City Networks. Even though Smart City Networks does not believe that the company refused to comply with or willfully violated Section 364.183(1), Florida Statutes, or any rule or order of the Commission, Smart City Networks is willing to offer a settlement to resolve this docket.

Smart City Networks offers to pay the lump sum of \$1,000.00 and to establish procedures for the receipt of information to preclude any further occurrences of the sort objected to in the Show Cause Order issued against the company.

Smart City Networks submits that there is no justification to fine the company more than the amount offered in settlement. Anything more would be disproportionate to the offense alleged, particularly in view of the fact that Smart City Networks has not yet engaged in business in Florida, has earned no revenue from the conduct of operations in the state and is now aware of the serious nature of not responding to data requests.

It is my understanding that this offer will be taken to the Commission at a regularly scheduled Agenda Conference.

Sincerely,



David B. Erwin

cc: Gordon Mills