

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for)
Certificates to Provide)
Interexchange Telecommunications)
Service by:)
)
ONE STOP FINANCIAL, INC.) DOCKET NO. 940583-TI
WINBACK AND CONSERVE PROGRAM,) DOCKET NO. 940584-TI
INC.)
800 DISCOUNTS, INC.) DOCKET NO. 940821-TI
GROUP DISCOUNTS, INC.) DOCKET NO. 940822-TI
)
) ORDER NO. PSC-95-0601-FOF-TI
) ISSUED: May 12, 1995

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER TO SHOW CAUSE

BY THE COMMISSION:

In July 1991, customers of One Stop Financial Inc. (One Stop), a multi-location discount aggregator (MLDA), contacted the staff of this Commission with complaints. Because One Stop was not certificated, the company was contacted for information about its operations in the state of Florida and informed that an IXC certificate was required for its operations. A letter from our staff was sent to the president and sole shareholder, Alfonse G. Inga, on August 10, 1992, explaining that any company which contracts with unaffiliated entities to obtain bulk/volume discounts under multi-location discount plans from carriers such as AT&T must have a certificate from the Commission.

Subsequently, on November 12, 1992, the company filed for a certificate (Docket No. 921171) but continued operations for a year while failing to submit a proper tariff with its application. This was despite several calls from the Commission staff prompting the company to comply with the Rules. By Order No. PSC-93-1481-FOF-TI, issued October 11, 1993, the Commission required One Stop to

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show cause in writing as to why it should not be fined for providing interexchange services without a certificate. By Order No. PSC-94-0460-FOF-TI, issued April 18, 1994, this Commission required One Stop to pay a fine of \$5,000 for operating as an IXC without a certificate, a violation of Rule 25-24.470, Florida Administrative Code. Finally, on May 23, 1994, One Stop paid the fine and submitted a complete application.

Along with the application for One Stop (Docket No. 940583) was another application for an IXC certificate (Docket No. 940584) for Winback and Conserve Program, Inc. (Winback), a second company providing the same services and owned by Mr. Inga.

At the September 20, 1994 Agenda Conference, a decision on both dockets was deferred because it appeared that Mr. Inga, owner and sole shareholder of both companies, had filed two more applications for IXC certificates for two more companies, 800 Discounts, Inc. (Docket No. 940821) and Group Discounts, Inc. (Docket No. 940822). All four companies appeared to be providing the same services and utilizing the same underlying provider, AT&T. In each application, all four companies admitted that they were already operating in Florida as aggregators of AT&T's 800 inbound services.

Staff's First Set of Interrogatories were mailed to the owner/president, Mr. Inga, on October 13, 1994 and responses were received on November 14, 1994. Mr. Inga revealed that Winback, 800 Discounts, Inc., and Group Discounts, Inc. were incorporated in 1993. A second set of interrogatories was mailed on January 23, 1995. Responses to the Second Set of Interrogatories were due February 27, 1995. Instead of responses to the interrogatories, a letter was received on February 21, 1995 from Mr. Inga's attorney. The letter explained that Mr. Inga had arranged to sell the customer base of these companies and that Mr. Inga's companies "will no longer be engaged in the aggregation of 800 inbound services." Further, the letter asserted that "certificates of convenience and necessity from this Commission will not be required." Essentially, the letter requested that all four of Mr. Inga's companies be allowed to continue to operate without the required certificates while the sale is being negotiated.

Mr. Inga was informed prior to the incorporation of three of his companies that this Commission had jurisdiction and that a Certificate was required prior to beginning operations. Instead of

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applying for certificates prior to beginning operations, these companies were incorporated and knowingly began operations in Florida, a violation of Rule 25-24.470, Florida Administrative Code.

It is therefore,

ORDERED by the Florida Public Service Commission that One Stop Financial Inc., Winback and Conserve Program, Inc., 800 Discounts, Inc., and Group Discounts, Inc. are required to show cause in writing why the companies should not be fined \$25,000 for providing intrastate interexchange services without a certificate, in violation of Rule 25-24.470, Florida Administrative Code. It is further

ORDERED that the response of One Stop Financial Inc., Winback and Conserve Program, Inc., 800 Discounts, Inc., and Group Discounts, Inc. contain specific allegations of fact and law. It is further

ORDERED that, should One Stop Financial Inc., Winback and Conserve Program, Inc., 800 Discounts, Inc., and Group Discounts, Inc. fail to file an appropriate written response by the date set forth in the Notice of Further Proceedings or Judicial Review, such failure shall constitute an admission of the alleged violations, and a waiver of any right to a hearing. It is further

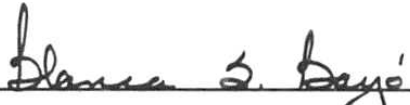
ORDERED that, unless One Stop Financial Inc., Winback and Conserve Program, Inc., 800 Discounts, Inc., and Group Discounts, Inc. file a written response in the form and by the date set forth in the Notice of Further Proceedings or Judicial Review, a fine of \$25,000 shall become due and payable. It is further

ORDERED that these dockets shall remain open pending resolution of the show cause process. It is further

ORDERED that, should One Stop Financial Inc., Winback and Conserve Program, Inc., 800 Discounts, Inc., and Group Discounts, Inc. elect to pay the fine, these dockets shall be closed.

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By ORDER of the Florida Public Service Commission, this 12th
day of May, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

This order is preliminary, procedural or intermediate in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.037(1), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on June 1, 1995.