

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against BellSouth Public Communications, Inc. for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service.

DOCKET NO. 990798-TC  
ORDER NO. PSC-99-1582-AS-TC  
ISSUED: August 12, 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 APPROVING OFFER OF SETTLEMENT

BY THE COMMISSION:

BellSouth Public Communications, Inc. (BellSouth), is a provider of pay telephone service, pursuant to certificate number 4287 granted by Order No. PSC-95-1170-FOF-TC, issued on September 20, 1995. As a result of 72 violations of section 25-24.515 discovered by Commission staff during 2 successive evaluations of BellSouth pay telephone stations, this docket was opened for consideration of a Show Cause proceeding by the Florida Public Service Commission.

On July 15, 1999, BellSouth submitted an offer of settlement, which is attached hereto as Attachment A, and incorporated herein. In it's settlement offer, BellSouth agreed to do the following:

- (1) Immediately correct all violations cited in the staff evaluation reports.
- (2) Pay of a fine in the amount of \$7,200

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- (3) In the event of future notification of violations, contact Commission staff regarding any they do not fully understand.

We support the settlement offer proposed by BellSouth. The company has satisfactorily addressed the issues in this docket. We believe the settlement offer is fair and reasonable, and we hereby accept it. Payment shall be received by the Commission within 10 working days of the date of this order. The Commission will forward the funds to the Office of the Comptroller for deposit in the State General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes.

If BellSouth fails to make payment in accordance with the terms of the settlement offer, the company's certificate shall be canceled administratively, with an effective date five days after the scheduled settlement payment was due, and the unpaid monetary settlement will be forwarded to the Comptroller's office for collection. If the certificate is canceled, any payments previously made are non-returnable.

Based on the forgoing, it is

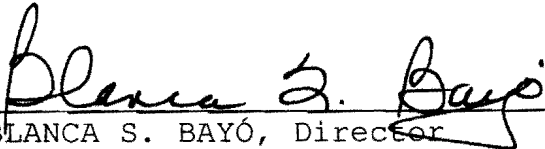
ORDERED by the Florida Public Service Commission that the offer of settlement by BellSouth Public Communications, Inc., which is appended as Attachment A to this Order and, by reference, is incorporated herein, is hereby approved. It is further

ORDERED that BellSouth Public Communications, Inc. shall remit \$7,200 within 10 working days of the date of this order. The payment shall be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the total amount assessed in the agreement, this docket shall be closed administratively. It is further

ORDERED that if BellSouth Public Communications, Inc. fails to make the payment in accordance with the terms of its settlement offer, Certificate No. 4287 shall be canceled administratively, effective 5 days after the due date, and the unpaid monetary settlement will be forwarded to the Comptroller's office for collection, and this docket will be closed.

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By ORDER of the Florida Public Service Commission this 12th  
day of August, 1999.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

CLF

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.