

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 990782-TC  
ORDER NO. PSC-99-1688-AS-TC  
ISSUED: August 31, 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 ACCEPTING SETTLEMENT OFFER

BY THE COMMISSION:

We performed a service evaluation on a pay telephone station operated by Tel Call Communication, Inc. (Tel Call or Company) on February 16, 1999. Through written correspondence, we notified Tel Call of the apparent violations. We then performed a reevaluation of the same pay telephone station on April 21, 1999. Although Tel Call had reported that all violations had been corrected, apparent violations of Rule 25-24.515(9)(a), Florida Administrative Code, discovered in the first inspection were still present in the reevaluation. Specifically, at Pay Telephone Station Number 407-293-9675, the correct address of location was not listed and a legible or correct telephone number was not posted.

On July 2, 1999, Tel Call contacted our staff to discuss settlement of this case and request a deferral from our July 6, 1999, Agenda Conference. On July 2, 1999, Tel Call submitted its offer to settle which is attached hereto and incorporated herein as Attachment A. In its settlement offer, Tel Call agreed to: 1) voluntarily pay \$200 to the General Revenue Fund; 2) conduct a thorough inspection of all its pay telephones to ensure compliance with Commission rules; and 3) ensure problems are clearly

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understood and fixed before reporting to the Commission that they are fixed.

We support Tel Call's offer to conduct a thorough inspection of all its pay telephones to ensure compliance with our rules. By initiating this action, Tel Call has created a proactive approach to compliance. In addition, we believe that the company's clear understanding of the violations will prevent it from inadvertently responding that a violation has been corrected.

Finally, the company has been forthright in its assertion that the cited violations were valid and has been very cooperative in resolving all issues. The \$200 contribution should be received by the Commission within ten business days from the issuance date of this Order and should identify the docket number and company name. We will then forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

Upon consideration of the settlement offer, we believe the terms of the settlement agreement are fair and reasonable and have satisfactorily addressed each of our concerns. In addition, we accept the voluntary contribution to the General Revenue Fund. However, if the company fails to pay the settlement amount within ten business days of the issuance of this Order, the monetary settlement will be forwarded to the Comptroller's office for collection.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the settlement offer by Tel Call Communication Inc., attached to this Order as Attachment A and by reference incorporated herein, is approved. It is further

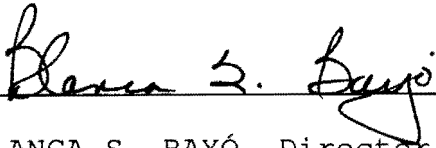
ORDERED that Tel Call Communication Inc. shall remit a \$200 contribution within ten business days from the issuance date of this Order. This settlement total of \$200 will be forwarded by the Commission to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. It is further

ORDERED that upon remittance of the settlement payment, this docket shall be closed. If Tel Call Communication Inc. fails to pay the settlement amount within ten business days of the issuance

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of this Order, the monetary settlement will be forwarded to the Comptroller's office for collection, and this docket closed.

By ORDER of the Florida Public Service Commission this 31st day of August, 1999.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

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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

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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.