

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Digital Network Services, Inc. d/b/a Digital Network Operator Services, Inc. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

DOCKET NO. 992031-TI
ORDER NO. PSC-00-1056-FOF-TI
ISSUED: June 2, 2000

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.
LILA A. JABER

ORDER MODIFYING ORDER NO. PSC-00-0251-SC-TI

BY THE COMMISSION:

On February 7, 2000, Order No. PSC-00-0251-SC-TI (Order), was issued requiring Digital Network Service, Inc. d/b/a Digital Network Operator Services, Inc. (Digital) to show cause in writing within 21 days of the issuance of the Order why it should not be fined \$10,000 or have Certificate Number 4450 canceled for apparent violation of Rule 25-4.043, Florida Administrative Code. In addition, the Order required Digital to provide a written response to the requested information within ten business days of the issuance of the Order.

The Order stated that if Digital failed to respond to the Show Cause Order, and the fines were not paid within ten business days after the 21 day show cause period, Certificate Number 4450 should be canceled. Furthermore, the Order stated that if Digital failed to provide a response to the requested information, the docket should remain open pending the initiation of further show cause proceedings. Our intent was to place Digital on notice that payment of the fine would not excuse the company from its obligation to respond to our staff's inquiry.

DOCUMENT NUMBER-DATE

06737 JUN-28

FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-1056-FOF-TI
DOCKET NO. 992031-TI
PAGE 2

Prior to the issuance of Order No. PSC-00-0251-SC-TI, Digital's certificate was canceled pursuant to Order No. PSC-99-2516-AS-TI, issued December 22, 1999, for failure to remit its \$100 settlement for failure to pay its regulatory assessment fees.

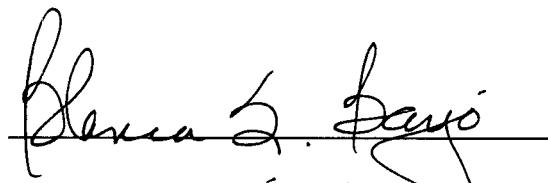
Therefore, since the company's certificate was canceled in Docket 991538-TI, for failure to comply with its settlement offer, we find Order No. PSC-00-0251-SC-TI shall be modified to forward the \$10,000 fine imposed to the Office of the Comptroller for further collection efforts because Digital's certificate has already been canceled in a separate proceeding for a different violation. All other aspects of Order No. PSC-00-0251-SC-TI shall remain the same.

It is therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-00-0251-SC-TI is modified to forward the \$10,000 fine imposed to the Office of the Comptroller for further collection efforts because Digital Network Service, Inc. d/b/a Digital Network Operator Services, Inc.'s certificate has already been canceled in a separate proceeding for a different violation. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 2nd day of June, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

DWC

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.

M E M O R A N D U M

May 23, 2000

RECORDS AND
REPORTING

00 JUN -2 AM 10:41

RECEIVED-FPSC

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CALDWELL) *one*

RE: DOCKET NO. 992031-TI - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST DIGITAL NETWORK SERVICES, INC. D/B/A DIGITAL NETWORK OPERATOR SERVICES, INC. FOR APPARENT VIOLATION OF RULE 25-4.043, F.A.C., RESPONSE TO COMMISSION STAFF INQUIRIES.

PSC-00-1056-FOF-TI

Attached is an ORDER MODIFYING ORDER NO. PSC-00-0251-SC-TI to be issued in the above-referenced docket. (Number of pages in order - 3)

DWC/jmb
Attachment
cc: Division of Communications
I: 992031a.dwc

See 1

IF