

Talbott: *WAB*

Vandiver: *DFR PV*

FLORIDA PUBLIC SERVICE COMMISSION

Capital Circle Office Center • 2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

M E M O R A N D U M

April 18, 1996

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (HAWKINS) *WAB*
DIVISION OF LEGAL SERVICES (EDMONDS) *DFR*

RE: DOCKETS NOS. 960414-TI, 960415-TI, 960416-TI, 960417-TI,
960418-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE
COMMISSION OF CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY AUTHORIZING OPERATION AS A TELECOMMUNICATIONS
SERVICE COMPANY IN FLORIDA.

AGENDA: APRIL 30, 1996 - REGULAR AGENDA - PROPOSED AGENCY ACTION
- INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\960414.RCM

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission cancel the Telecommunications Interexchange certificates for ACCESS WORLD COMMUNICATIONS, INC., Certificate No. 4066, COMCENTRAL, INC., Certificate No. 1836, SOUTHNET SERVICES, INC., Certificate No. 2370, TELEDRAFT, INCORPORATED, Certificate No. 3200 and TOUCHTONE LONG DISTANCE, INC., Certificate No. 2969, if they fail to pay a \$250 fine and provide staff the correct mailing address, liaison information and other information as required by Rules 25-24.480, (3) (a) and (b), Florida Administrative Code?

RECOMMENDATION: Yes.

DOCUMENT NUMBER-DATE

04431 APR 18 96

FPSC-RECORDS/REPORTING

DOCKETS NOS. 960414-TI, 960415-TI, 960416-TI, 960417-TI & 960418-TI
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STAFF ANALYSIS: Pursuant to Chapter 364.285, Florida Statutes, the Commission may impose a fine or cancel a certificate if a company refuses to comply with Commission rules. Rule 25-24.474, Florida Administrative Code, establishes the requirements for cancellation of an interexchange company (IXC) certificate. The rule provides for the Commission to cancel a certificate on its own motion for violation of Commission Rules and Orders.

Pursuant to Rules 25-24.480(3)(a) and (b), Florida Administrative Code, each company is allowed 10 days after a change occurs to file updated information indicating any changes in the certificate holder's address (including street name and address, post office box, city) telephone number and any change in the name and address of the individual who is serving as primary liaison with the Commission.

Mail sent to the companies listed has been returned multiple times to Records and Reporting with responses from the Post Office saying either "Return to Sender", "Addressee Unknown" or "Attempted Unknown." The phone numbers listed in the Master Commission Directory for the companies have been disconnected and Directory Assistance has no listing for them.

The companies have failed to comply with Rules 25-24.480(3)(a) and (b), Florida Administrative Code, in that they have not filed with staff the change in mailing address, liaison information etc., within 10 days after the change occurred.

Staff has attempted to contact the provider via telephone without success.

It has been well over 10 days and staff has not been informed of the provider's correct mailing address, phone number, or liaison information. Therefore, staff recommends that the company's certificate be cancelled unless it pays a \$250 fine and provides staff with the information required in accordance with Rules 25-24.480(3)(a) and (b), Florida Administrative Code, within 30 days of the Order becoming final.

Staff notes cancellation or a fine is consistent with previous proceedings of this nature.

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ISSUE 2: Should these dockets be closed?

RECOMMENDATION: Yes. If no person whose substantial interests are affected files a protest within 21 days of the issuance of the Order, the Order will become final, and the provider will have 30 days from the date the Order becomes final to pay a \$250 fine and provide staff with the information as required by Rules 25-24.480(3)(a) and (b), Florida Administrative Code, or its certificate will be cancelled without further Commission action. The fines are to be paid to the Florida Public Service Commission and forwarded to the Office of Comptroller for deposit in the General Revenue Fund pursuant to 362.285(1), Florida Statutes. Upon payment of the fines or cancellation of the certificates, these dockets should be closed without further Commission action. A protest of one docket should not prevent the action in a separate docket from becoming final.

STAFF ANALYSIS: If the Commission adopts staff's recommendation in Issue 1, then the provider will have 30 days from the date the Order becomes final to pay a \$250 fine and provide staff with the information as required by Rules 25-24.480(3)(a) and (b), Florida Administrative Code, or its certificate will be cancelled without further Commission action. If no protest is filed in this docket, the docket should be closed after the conclusion of the 30 day period. A protest of one docket should not prevent the action in a separate docket from becoming final.