

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Accutel Communications, Inc. for Unlawful Billing Practices in violation of Section 364.10(1) and Section 364.604(2), F.S., and Insufficient Management Capability pursuant to Section 364.337(3), F.S.

DOCKET NO. 981488-TI

DATED: MARCH 6, 2000

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-99-2496-PCO-TI, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

Tommy Williams Issues 1-2  
Jerry Hallenstein Issues 1-2

b. All Known Exhibits

Staff has not yet identified a tentative list of exhibits which it intends to utilize in this proceeding. Staff will supply a tentative list of such exhibits at or prior to the Prehearing Conference.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. Staff's Position on the Issues

ISSUE 1: Should the Commission order Accutel to show cause why it should not be fined \$10,000 per violation for a total of \$1,710,000 for apparent failure to comply with Sections 364.10 (1) and 364.604 (2), Florida Statutes, Undue

AFA  
APP  
CAF  
CMU  
CTR  
EAG  
LEG  
MAS  
OPC  
RRR  
SEC  
WAW  
OTH

DOCUMENT NUMBER-DATE

02916 MAR-68

FPSC-RECORDS/REPORTING

Advantage to Person or Locality Prohibited, and Billing Practices?

Position

Staff believes that the Commission should order Accutel to show cause why it should not be fined \$10,000 per violation for a total of \$1,710,000 for apparent failure to comply with Sections 364.10 (1) and 364.604 (2), Florida Statutes, Undue Advantage to Person or Locality Prohibited, and Billing Practices.

ISSUE 2: Should the Commission order Accutel to show cause why it should not have Certificate Number 4854 revoked for apparent failure to demonstrate adequate management capability under the provisions of Section 364.337(3), Florida Statutes?

Position

Staff believes that the Commission should order Accutel to show cause why it should not have Certificate Number 4854 revoked for apparent failure to demonstrate adequate management capability under the provisions of Section 364.337(3), Florida Statutes.

e. Pending Motions

None

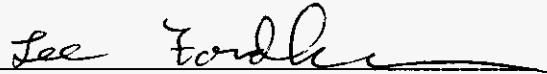
f. Confidentiality

Staff is aware of no pending requests for confidentiality.

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

STAFF'S PREHEARING STATEMENT  
DOCKET NO. 981488-TI  
PAGE 3

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.



C. LEE FORDHAM

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Gerald L. Gunter Building - Room 370  
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FILED: MARCH 6, 2000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's Prehearing Statement has been furnished by U.S. Mail this 6th day of March, 2000, to the following:

Accutel Communications, Inc.  
100 East Sample Road  
Pompano Beach, FL 33064-3548

Respectfully submitted,



C. LEE FORDHAM  
Staff Counsel

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