

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the billing	)	DOCKET NO. 910666-TI
practices of INTERNATIONAL TELECHARGE,	)	ORDER NO. 25730
INC. and PEOPLES TELEPHONE COMPANY.	)	ISSUED: 2/17/92
	)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 SUSAN F. CLARK  
 J. TERRY DEASON  
 BETTY EASLEY

ORDER INITIATING HEARING

BY THE COMMISSION:

On December 5, 1991, our staff filed a recommendation for consideration at our December 17, 1991, Agenda Conference. That recommendation addresses the results of our staff's investigation into the billing practices of International Telecharge, Inc. (ITI) and Peoples Telephone Company (Peoples). ITI is a certificated interexchange carrier (IXC) that also provides alternative operator services (AOS), while Peoples is a certificated pay telephone service (PATS) provider. Both of these companies are large providers of intrastate telecommunications services throughout Florida. The staff recommendation alleges that substantial overcharging has occurred at confinement facilities served by ITI and Peoples, and at other locations served by ITI.

At the December 17, 1991, Agenda Conference, we deferred consideration of our staff's recommendation in response to requests from the companies to allow them to pursue the possibility of settling this matter. We believed such action to be reasonable, given the serious nature of the allegations of overcharging and the gravity of the potential penalties under consideration.

Subsequently, ITI and Peoples submitted a Joint Settlement and Refund Proposal on December 31, 1991, to address overcharging at confinement facilities. In addition, ITI filed a separate Settlement and Refund Proposal to address overcharging at certain other locations. Our staff then filed a supplemental recommendation, and the matter was reset for our January 14, 1992, Agenda Conference.

Upon consideration, we find it appropriate to reject these offers of settlement and proceed directly to a hearing. The hearing will allow us the opportunity to review in depth the

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ORDER NO. 25730  
DOCKET NO. 910666-TI  
PAGE 2

circumstances surrounding the alleged instances of overcharging. The schedule for this hearing will be established by separate order.

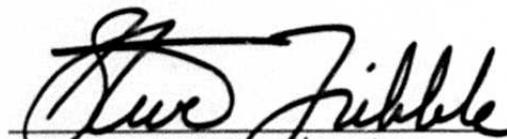
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Joint Settlement and Refund Proposal submitted by International Telecharge, Inc. and Peoples Telephone Company on December 31, 1991, is hereby rejected as set forth herein. It is further

ORDERED that the Settlement and Refund Proposal submitted by International Telecharge, Inc. on December 31, 1991, is hereby rejected as set forth herein. It is further

ORDERED that this matter shall be set for hearing.

By ORDER of the Florida Public Service Commission, this 17th day of FEBRUARY, 1992.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

ABG

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

ORDER NO. 25730  
DOCKET NO. 910666-TI  
PAGE 3

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 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 or sewer 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.