

State of 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-

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COMMISSION  
CLERK

**DATE:** OCTOBER 25, 2001

**TO:** DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)

**FROM:** DIVISION OF LEGAL SERVICES (ELLIOTT) JAE HLC  
DIVISION OF COMPETITIVE SERVICES (ISLER) Pijj TMD

**RE:** DOCKET NO. 010585-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 7170 ISSUED TO SEACOAST CHRISTIAN ACADEMY, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

**AGENDA:** 11/06/01 - REGULAR AGENDA - PROCEDURAL - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\LEG\WP\010585.RCM

CASE BACKGROUND

The 2000 Regulatory Assessment Fee (RAF) notice was mailed to Seacoast Christian Academy, Inc. (Seacoast). When full payment had not been received by the due date, the Division of the Commission Clerk & Administrative Services mailed a delinquent notice to the company. As of July 12, 2001, the company had not paid the past due amount.

By Order No. PSC-01-1716-PAA-TC, issued August 22, 2001, and consummated by Order No. PSC-01-1915-CO-TC, the Commission fined Seacoast \$500 for non-payment of RAFs. On September 28, 2001, Mr. Michael Mariotti contacted staff and stated that the school would like to keep the certificate and resolve the docket. On October 1, 2001, this Commission received the RAFs form, payment of the 2000 RAFs plus penalties and interest for the years 1999 and 2000,

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PSC-01-1716-PAA-TC

and a letter requesting an extension of time to pay the fine. (Attachment A) Seacoast submitted a proposal for payment of the fine in monthly payments of \$100.

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.3375, Florida Statutes. Accordingly, staff believes the following recommendations are appropriate.

### **DISCUSSION**

**ISSUE 1:** Should the Commission approve Seacoast's proposed payment plan in order to comply with Order No. PSC-01-1716-PAA-TP?

**RECOMMENDATION:** Yes. Staff recommends that the Commission approve the extension of time and Seacoast's proposed payment plan in order to comply with Order No. PSC-01-1716-PAA-TP. The payments should be received by the Florida Public Service Commission before the fourth day of the month and should identify the docket number and company name. The Commission should forward the payments to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

**STAFF ANALYSIS:** The Commission should grant Seacoast an extension of time to pay the \$500 fine and approve the proposed installment plan. In the letter dated September 28, 2001, Seacoast proposes to make five \$100 payments. The \$100 payments would be made by Seacoast each month continuing through February 2002. This plan has been proposed since it would be burdensome for the company to pay the \$500 fine in one lump sum. The company included the first \$100 payment with the letter and payment of the past due RAFs with penalties and interest for 1999 and 2000. Staff believes that this proposal is reasonable and is consistent with the public interest.

Therefore, staff recommends that the Commission should accept the payment plan proposed by Seacoast Christian Academy, Inc. The payments should be received by the Florida Public Service Commission before the fourth of the month and should identify the docket number and company name. The Commission should forward the payments to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** No. If the Commission approves staff's recommendation in Issue 1, the docket should remain open until the payment of the \$500 fine is completed. Upon staff's verification of the payment of the entire \$500 fine, this docket should be administratively closed. If Seacoast fails to pay in accordance with the approved plan, its certificate should be cancelled as set forth in Order No. PSC-01-1716-PAA-TC and this docket should be closed administratively.

**STAFF ANALYSIS:** If the Commission approves staff's recommendation in Issue 1, the docket should remain open until the payment of the \$500 fine is completed. Upon staff's verification of the payment of the entire \$500 fine, this docket should be administratively closed. If Seacoast fails to pay in accordance with the approved plan, its certificate should be cancelled as set forth in Order No. PSC-01-1716-PAA-TC and this docket should be closed administratively.

DOCKET NO. 010585-TC  
DATE: OCTOBER 25, 2001



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FED ID 59-3217007

*P. Isler  
CCA*

DEPOSIT  
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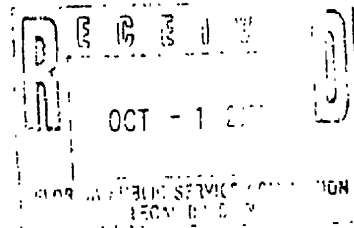
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\$100.00  
MC*

Florida Public Service Commission  
2340 Shumard Oak Blvd  
Tallahassee, FL 32399

September 28, 2001

Re: Docket No. 010585-TC  
Order No. PSC-01-1716-PAA-TC

*TG609*



Ms. Jessica Elliott

Enclosed are two checks. one is for the 2000 Pay Telephone Assessment Fee and the 1999 late fee. The second check is a partial payment on the \$500.00 fine that is required since it is too late waive this fine.

As we discussed in our phone conversation on Friday the 28<sup>th</sup>, I would like to request an extension of time for Seacoast Christian Academy, Inc. to pay the \$500.00 fine and retain its Pay Telephone Certificate No. 7170. This extension would allow Seacoast to pay this fine without causing a hardship on the school. The payment schedule that I would like to propose is five \$100.00 payments at the beginning each month starting with this payment for October 2001 and continuing through February 2002.

Seacoast Christian Academy is a small private school with about 275 students. The students use this pay telephone to make calls to their parents for various reasons. Over the last two years less than \$600.00 in receipts have been collected from the operation of this pay phone.

I am sure you have heard every excuse imaginable as to why these returns are not completed timely. Negligence on our part is the reason this issue has progressed to this point. We will not let this happen again.

Please contact the undersigned if you have any questions or need any additional information.

Sincerely,

Mike Mariotti  
Accounting Asst.