

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause	)	DOCKET NO. 910632-TC
proceedings against BILL CHIECHI for	)	ORDER NO. 24874
for violation of Commission Rules.	)	ISSUED: 7/31/91

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The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 J. TERRY DEASON  
 BETTY EASLEY  
 MICHAEL McK. WILSON

ORDER INITIATING SHOW CAUSE PROCEEDINGS

BY THE COMMISSION:

Bill Chiechi has been a certificated pay telephone service (PATS) provider since April 2, 1991. As a certificated utility, Mr. Chiechi is subject to our jurisdiction.

On April 5, 1991, our staff attempted to contact Mr. Chiechi by certified letter. This contact was precipitated by a series of complaints regarding Mr. Chiechi's sales practices as well as reports that his business address and business phone number had changed.

The April 5, 1991 certified letter was returned as undeliverable. Rule 25-24.520, Florida Administrative Code, requires certificated telecommunications companies to notify the Division of Records and Reporting of any change of address within ten days of such changes. Mr. Chiechi also failed to respond to staff's inquiries within 15 days as required by Rule 25-4.043, Florida Administrative Code.

Because of these violations, we find it appropriate to require Mr. Chiechi to show cause why his Certificate No. 2645 should not be canceled for violation of the aforementioned rules. We further note that while Mr. Chiechi's alleged business practices may be beyond our jurisdiction, we may consider such matters if we are required to decide if it is in the public interest for Mr. Chiechi to retain his certificate.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Bill Chiechi is hereby required to show cause why his Certificate of

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07664 JUL 31 1991

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Public Necessity and Convenience No. 2645 should not be canceled for failure to comply with Rules 25-24.520 and 25-4.043, Florida Administrative Code. It is further

ORDERED that any response to this Order shall be filed pursuant to the requirements set forth below and within the time period set forth below. It is further

ORDERED that if Mr. Chiechi fails to respond to this Order, his Certificate No. 2645 shall be canceled and this docket closed.

By ORDER of the Florida Public Service Commission, this 31st day of JULY, 1991.



STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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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.

This order is preliminary, procedural or intermediate in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.037(1), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be

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received by the Director, Division of Records and Reporting, at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on 8/20/91.

Failure to respond within the time set forth above shall constitute an admission of all facts and a waiver of the right to a hearing pursuant to Rule 25-22.037(3), Florida Administrative Code, and a default pursuant to Rule 25-22.037(4), Florida Administrative Code. Such default shall be effective on the day subsequent to the above date.

If an adversely affected person fails to respond to this order within the time prescribed above, that party may request judicial review by the Florida Supreme Court in the case of any electric, gas or telephone utility or by 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 of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure.