

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show) DOCKET NO. 910787-TC
cause proceedings against) ORDER NO. PSC-92-1049-FOF-TC
PAYTEL SYSTEMS for violation) ISSUED: 09/23/92
of Florida Public Service)
Commission rules.)
_____)

The following Commissioners participated in the disposition of this matter:

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

FINAL ORDER RESOLVING SHOW CAUSE PROCEEDINGS

BY THE COMMISSION:

Paytel Systems (Paytel) has been a certificated pay telephone service (PATS) provider since January 1, 1987. As a certificated PATS provider, Paytel is subject to our jurisdiction pursuant to Chapter 364, Florida Statutes.

On October 11, 1991, we issued Order No. 25206 requiring Paytel to show cause why it should not be fined up to \$5000 for violation of pay telephone service rules, most notably Rule 25-24.515(6) Access to Interexchange Carriers. On October 25, 1991, Rick Howell on behalf of Paytel filed a response to Order No. 25206 and requested a formal hearing.

On August 19, 1992, Mr. Howell tendered a settlement offer on behalf of Paytel. The terms of the settlement offer are as follows:

1. In tendering the settlement Paytel admits no fault or violation.
2. Paytel shall pay a settlement amount of \$500 in two monthly installments to begin within 30 days of the date of the Final Order.
3. Within 30 days of the date of the Final Order, all pay telephones operated by Paytel shall be in compliance with all service requirements.

We find it appropriate to accept Paytel's settlement offer. The amount proposed by Paytel is within the range we have

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previously imposed for similar violations. As we have previously stated, penalties are not punitive but rather intended to assure future compliance.

Based on the foregoing it is

ORDERED by the Florida Public Service Commission that the settlement proposal by Paytel Systems, as described above is hereby accepted. it is, further

ORDERED that this docket shall remain open and shall be closed upon receipt of the second and final payment.

By ORDER of the Florida Public Service Commission this 23rd day of September, 1992.



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.

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

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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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.