

Talbott *WAB*
Vandiver *W*

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

September 4, 1996

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (HAWKINS) *BSH JFD*
DIVISION OF LEGAL SERVICES (BROWN) *MLB*

RE: DOCKET NO. 960958-TC - A-1 FLEA MARKET, INC. -
CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY
TELEPHONE CERTIFICATE NO. 3754 FOR VIOLATION OF RULE
25.24.520(1)(A), F.A.C., REPORTING REQUIREMENTS.

DOCKET NO. 960959-TC - YOU MAKE THE CALL, INC. -
CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY
TELEPHONE CERTIFICATE NO. 4263 FOR VIOLATION OF RULE 25-
24.520(1)(A), F.A.C., REPORTING REQUIREMENTS.

DOCKET NO. 960960-TC - AVS, INC - CANCELLATION BY
FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE
CERTIFICATE NO. 3399 FOR VIOLATION OF RULE 25-
24.520(1)(A), F.A.C., REPORTING REQUIREMENTS.

AGENDA: 9/16/96 - REGULAR AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\960958.RCM

CASE BACKGROUND

- Certificate number 3754 was issued to A-1 FLEA MARKET, INC. May 19, 1994. Certificate number 4263 was issued to YOU MAKE THE CALL, INC. September 28, 1995. Certificate number 3399 was issued to AVS, INC September 1, 1993.
- The Division of Records and Reporting received returned mail from the Post Office on each company. They asked that they be furnished with the correct mailing addresses or that staff initiate proceedings to have the providers' certificates cancelled. (Pages 6 - 8)

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

DOCKET NOS. 960958-TC, 960959-TC & 960960-TC
DATE: SEPTEMBER 4, 1996

Communications staff attempted unsuccessfully to reach each provider by calling the telephone number listed in the Master Commission Directory. The number for A-1 FLEA MARKET, INC. rings and with no answer. The number for YOU MAKE THE CALL, INC. has voice mail but no one has returned staff's calls. The number for AVS, INC also has voice mail and no one has returned staff's call.

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DISCUSSION OF ISSUES

ISSUE 1: Should A-1 FLEA MARKET, INC., YOU MAKE THE CALL, INC. and AVS, INC have their certificates cancelled by the Florida Public Service Commission for violation of Rule 25-24.520(1)(a) and (b), Florida Administrative Code, Reporting Requirements, if they fail to pay a \$250 fine, and provide staff with the information required by Rule 25-24.520 (1)(a) and (b), Florida Administrative Code, Reporting Requirements?

RECOMMENDATION: Yes. Staff recommends that A-1 FLEA MARKET, INC., YOU MAKE THE CALL, INC. and AVS, INC. have their respective certificates cancelled if they fail to pay a \$250 fine and provide staff with the information required by Rule 25-24.520(1)(a) and (b), Florida Administrative Code, Reporting Requirements, within 30 days after the Order becomes final. The fines are to be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the General Revenue Fund pursuant to 364.285(1), Florida Statutes.

STAFF ANALYSIS:

- . Pursuant to Rule 25-24.514 (1) (a) and (b), F.A.C., Cancellation of a Certificate, in pertinent part, the Commission may cancel a company's certificate for violation of the terms and conditions under which the authority was originally granted or for violation of Commission rules and orders.
- . Pursuant to Rule 25-24.520(1)(a) and (b), in pertinent part, each pay telephone service company shall file with the Division of Communications within 10 days after a change occurs: the street address of the certificate holder and the name, title and phone number of the individual responsible for contact with the Commission.
- . Communications staff has attempted to contact the three providers by telephone but was not successful.
- . It has been well over 10 days and staff has not been informed of the providers' correct mailing address, phone number or liaison information.

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Therefore, staff recommends that the certificates be cancelled unless the companies pay a \$250 fine and provide staff with the information required by Rule 25-24.520(1)(a) and (b), Florida Administrative Code, Reporting Requirements, within 30 days after the Order becomes final:

PROVIDER	CERTIFICATE NUMBER
A-1 FLEA MARKET, INC.	3754
YOU MAKE THE CALL, INC.	4263
AVS, INC.	3399

ISSUE 2: Should these dockets be closed?

RECOMMENDATION: Yes. These dockets should be closed if no person whose substantial interests are affected files a protest within 21 days of the issuance of the Order. If no timely protest is filed, these dockets should be closed at the conclusion of the 30 day period after the Order becomes final. If a company pays the \$100 fine and provides the information required, the docket should be closed. A protest of one docket should not prevent this Order from becoming final for the other dockets.

STAFF ANALYSIS:

If the Commission adopts staff's recommendation in Issue 1, then A-1 FLEA MARKET, YOU MAKE THE CALL and AVS, INC will have 30 days from the date the Order becomes final to pay a \$250 fine and provide staff the information called for in Rule 25-24.520(1)(a) and (b), Florida Administrative Code, Reporting Requirements, or their certificates will be cancelled without further Commission action.

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Unless a person whose substantial interests are affected by this Order files a protest within 21 days, the dockets should be closed after the conclusion of the 30 day period. A protest in one docket shall not prevent this Order from becoming final for the other dockets.

. For each certificate that is cancelled, the serving local exchange company shall be notified by staff to discontinue service to all pay telephones operated by that company. If the Commission denies staff on Issue 1 the dockets should be closed.

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FEB 20 1996
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Return to sender

~~A-1 Flea Market, Inc.
1621 North State Road 7
Lauderhill FL 33313-5813~~

TF 102

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APR 20 1996

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Blvd.
32399-0870



TF463

You Make the Call, Inc.
1872 N.E. 198th Terrace
Miami FL 33179-3141

RETURNED
to
SENDER
Not Deliverable as Addressed
UNABLE TO FORWARD

YOU0872 331790296 1N 04/12/96
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

RECEIVED
MAY 05 1996

FPSC-RECORDS/REPORTING



1E871

AVS, INC
P. O. Box 12402
Lake Park FL 33403-2402



ATTEMPTED-NOT KNOWN