

Talbott *WMB*  
Vandiver *AV*

FLORIDA PUBLIC SERVICE COMMISSION  
Capital Circle Office Center • 2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

MEMORANDUM

September 26, 1996

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

FROM: DIVISION OF COMMUNICATIONS (MOSES) *MS*  
DIVISION OF LEGAL SERVICES (M. BROWN) *MB*

RE: DOCKET NO. 960285-TC - TELEPHONIX, INC. - INITIATION OF  
SHOW CAUSE PROCEEDINGS FOR VIOLATION OF RULE 25-24.515,  
F.A.C., PAY TELEPHONE SERVICE REQUIREMENTS.

AGENDA: 10/08/96 - REGULAR AGENDA - INTERESTED PERSONS MAY  
PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\960285\B.RCM

CASE BACKGROUND

Telephonix, Inc. (Telephonix) received a certificate (No. 3253) to provide pay telephone service on January 8, 1993. According to the 1995 annual report filed by the company, it currently operates 171 pay telephones in Florida and earned \$12,629.88 in intrastate gross revenues.

On April 8, 1996, the Commission issued Order No. PSC-96-0485-FOF-TC, requiring Telephonix to show cause why it should not be fined and/or have its certificate revoked for its apparent violations of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service Standards. On April 29, 1996, Telephonix filed its response to the Order. The response did not specifically address the allegations contained in the Order but instead included correspondence Telephonix had faxed earlier in response to staff's letters notifying it of the apparent violations. The company's response also did not contain a request for hearing. Therefore, staff's recommendation deals with the appropriate penalty that should be imposed based upon the company's response and the issues outlined in Order No. PSC-96-0485-FOF-TC.

DOCUMENT NUMBER-DATE

10311 SEP 26 96

FPSC-RECORDS/REPORTING

DOCKET NO. 960285-TC  
DATE: SEPTEMBER 26, 1996

**ISSUE 1:** Should Telephonix, Inc. be ordered to pay a fine of \$5,000 to the Florida Public Service Commission, with the monies to be forwarded to the Office of the State Treasurer for deposit in the General Revenue Fund, for multiple violations of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service Standards, or have its certificate cancelled?

**RECOMMENDATION:** Yes, Telephonix, Inc. should be ordered to pay a fine of \$5,000 to the Florida Public Service Commission, with the monies to be forwarded to the Office of the State Treasurer for deposit in the General Revenue Fund, for multiple violations of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service Standards, or certificate no. 3253 should be cancelled.

**STAFF ANALYSIS:** The violations detailed in Order No. PSC-96-0485-FOF-TC (Attachment A) included: improper routing of calls; failure to provide wheelchair access; inadequate wiring; failure to post basic information and dialing instructions; and, failure to provide telephone directories. One or more of these violations were present on each of the thirty-nine payphones inspected by staff. Telephonix has not contested these facts.

Ms. Betty Adams, Office Manager for Telephonix, sent in the company's response (Attachment B) which was received on April 29, 1996. The response was not filed with the Division of Records and Reporting and staff was unclear whether the undated letter was actually intended to be the company's response to Order No. PSC-96-0485-FOF-TC. Staff contacted Ms. Adams by telephone and she then asked that we consider the letter as the company's response along with the other correspondence she had included (responses to staff's service violation letters and an undated letter signed by Mr. Lance Johnson, President of Telephonix).

The letter signed by Mr. Johnson (page 20) states that the improper routing of calls on 20 of the 39 payphones staff inspected resulted from lost programming features due to computer problems the company experienced. However, this claim is not substantiated with any repair records or programming costs. The letter also states that the programming has been restored and that the payphones are now properly routing calls. Telephonix also states that there was never an intent to violate the Commission's rules. Telephonix further states that it has corrected all violations noted by staff; removed 25 payphones from service; and, totally replaced its field personnel.

Even if staff accepts the company's assertion that computer problems alone were the cause of the improper call routing, other service problems cited in the Commission's Order are not

DOCKET NO. 960285-TC  
DATE: SEPTEMBER 26, 1996

specifically addressed by this response. Staff is gratified that Telephonix has corrected the violations and replaced field personnel. Nevertheless, we believe Telephonix allowed conditions to exist in which its payphones were in violation of multiple service standards. This is cause for a financial penalty to be imposed. Section 364.285, Florida Statutes, Penalties, states in pertinent part:

(1) The commission shall have the power to impose upon any entity subject to its jurisdiction under this chapter which is found to have refused to comply with or to have willfully violated any lawful rule or order of the commission or any provision of this chapter a penalty for each offense of not more than \$25,000, which penalty shall be fixed, imposed, and collected by the commission; or the commission may, for any such violation, amend, suspend, or revoke any certificate issued by it.

In previous dockets involving violations of the Commission's pay telephone service requirements, penalties ranging from \$500 to \$60,400 have been imposed. Taking into consideration the company's size, we recommend that Telephonix be ordered to pay a fine in the amount of \$5,000. If Telephonix chooses not to pay the \$5,000 fine, staff recommends that certificate no. 3253 be cancelled without further Commission action.

DOCKET NO. 960285-TC  
DATE: SEPTEMBER 26, 1996

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

**RECOMMENDATION:** Yes. If no person whose substantial interests are affected files a protest within 21 days of the issuance of the Order, the Order will become final. Telephonix will then have 30 days from the date the Order becomes final to pay the fine to the Florida Public Service Commission, with the monies to be forwarded to the Office of the State Treasurer for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes, or certificate no. 3253 will be cancelled without further Commission action.

**STAFF ANALYSIS:** If the Commission approves the staff recommendation on Issue 1, a proposed agency action order imposing a fine will be issued. If no person whose substantial interests are affected files a protest within 21 days of the issuance of the Order, the Order will become final, and Telephonix will have 30 days from the date the Order becomes final to pay the fine or respond to the Proposed Agency Action Order or certificate no. 3253 will be cancelled without further Commission action.

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of show cause ) DOCKET NO. 960285-TC  
 proceedings against Telephonix, ) ORDER NO. PSC-96-0485-FOF-TC  
 Inc. for violation of Rule 25- ) ISSUED: April 8, 1996  
 24.515, F.A.C., Pay Telephone )  
 Service Requirements. )

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman  
 J. TERRY DEASON  
 JOE GARCIA  
 JULIA L. JOHNSON  
 DIANE K. KIESLING

ORDER TO SHOW CAUSE

BY THE COMMISSION:

By Order No. PSC-92-1465-FOF-TC, issued December 17, 1992, we granted Certificate No. 3253 to Telephonix, Inc. (Telephonix), by which it is authorized to provide pay telephone service. According to Telephonix's 1995 annual report, it currently operates 171 pay telephones in Florida and earned \$12,629.88 in intrastate gross revenues.

As part of the application process, this Commission provided to Telephonix a copy of the rules and requirements relevant to pay telephone service. The applicant signed a statement acknowledging its receipt and understanding of these rules. In addition, a person representing himself as an owner or officer of Telephonix signed a separate statement agreeing to abide by all current and future Commission requirements regarding pay telephone service.

During recent service evaluations of pay telephones owned and operated by Telephonix, conducted between February 13 and 15, 1996, our staff discovered violations at all thirty-nine of the instruments inspected. The number of violations of each rule and service requirement are as follows:

5  
 DOCUMENT NUMBER-DATE

04039 APR-88

FPSC-RECORDS/REPORTING

<u>VIOLATION</u>	<u>NO. OF TELEPHONES</u>
Rule 25-24.515(1) Insufficient light to read instructions at night	4
Rule 25-24.515(2) Automatic coin return function not working Coins hung in slot or fell through	7 7
Rule 25-24.515(4) Coin free number for repairs/refunds did not work No direct free service to directory assistance	2 1
Rule 25-24.515(5) Legible/correct telephone number not displayed Correct address of telephone location not displayed Clear and accurate dialing instructions not displayed Certificated name of provider not displayed	19 16 3 1
Rule 25-24.515(7) 0+ local calls not routed to LEC operator	20
Rule 24-24.515(11) Current directory not available	34
Rule 25-24.515(12) Enclosure inadequate or contained trash	1
Rule 25-24.515(13) Not accessible to physically handicapped	11
Miscellaneous service problems not covered by Rule	
Telephone not in service	8
Wiring not properly terminated or in good condition	7
Transmission inadequate/static or noise	3
0+ interLATA calls could not be completed	1

We are extremely concerned that twenty of the thirty-nine pay telephones inspected improperly routed 0+ local calls to Opticom, rather than to the local exchange company operator, as required by Rule 25-24.515(7), Florida Administrative Code. The routing of 0+ local calls to Opticom rather than the LEC operator had to be programmed into the pay telephones, and did not simply result from negligence or poor maintenance.

Another serious concern is that eleven of the pay telephones did not meet the requirements for access by physically handicapped

ORDER NO. PSC-96-0485-FOF-TC  
DOCKET NO. 960285-TC  
PAGE 3

persons, as required by Rule 25-24.515(13), Florida Administrative Code. In addition, few of the pay telephones had such basic information posted as the pay telephone number and street address. Only five of the thirty-nine pay telephones had a telephone directory available.

Upon consideration of the above, we find it appropriate to require Telephonix to show cause, in writing, within twenty days of the date of this Order, why it should not be fined and/or have its certificate cancelled for these apparent violation of our pay telephone service rules. Penalties paid by other pay telephone providers for similar violations have ranged from \$500 to \$60,000. Telephonix's response must contain specific allegations of facts and law. In accordance with Rule 25-22.037(3), Florida Administrative Code, should Telephonix fail to file a timely response to this Order, such failure shall constitute an admission of all of the facts alleged herein, as well as a waiver of any right to a hearing.

It is, therefore,

ORDERED by the Florida Public Service Commission that Telephonix, Inc. shall show cause, in writing, within twenty (20) days of the date of this Order, why it should not be fined and/or why we should not revoke Certificate No. 3253, for its apparent violations of Rule 25-24.515, Florida Administrative Code. It is further

ORDERED that Telephonix, Inc.'s response must contain specific allegations of fact and law. It is further

ORDERED that, should Telephonix, Inc., fail to respond to this Order to Show Cause, such failure shall constitute an admission of the facts alleged herein and a waiver of any right to a hearing. It is further

ORDERED that this docket shall remain open pending the resolution of these show cause proceedings.

ORDER NO. PSC-96-0485-FOF-TC  
DOCKET NO. 960285-TC  
PAGE 4

By ORDER of the Florida Public Service Commission, this 8th  
day of April, 1996.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay J. [Signature]  
Chief, Bureau of Records

( S E A L )

RJP



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 received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on April 29, 1996.

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 wastewater 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.

Florida Public Service Commission  
Division of Records and Recording  
Attn: Cathy Lewis  
2540 Shumard Boulevard  
Tallahassee, FL 32399-0850



96 APR 29 10 03

Reference: Docket # 960285

Enclosed please find original of answers to inquiries per your request April 26, 1996. I did not realize that fax copies were not appropriate. In the future you will receive original copies by mail in addition to a fax. In addition to information sent to you April 25, 1996 we also faxed to you answers to Service Evaluation Inquiry of February 1996. Enclosed please find originals of said fax.

Thank you for your help in this matter.

*Betty Adams*  
Betty Adams  
Office Manager

- cc: file
- cc: Lance Johnson
- cc: Wesley Johnson  
Plant Manager

# TELEPHONIX • FAX

(904)233-1199 \* fax (904) ~~233-1199~~ ~~904-8056~~

DATE 04-25-96

TO Barbara Bailey

FROM Betty

REF: corrected violations

# OF PAGES (INC COVER) 3



904 413 6505

RESPONSE REQUESTED: YES NO

SPECIAL COMMENTS:

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8317 FRONT BEACH ROAD \* SUITE 16

PANAMA CITY BEACH, FL 32407

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF COMMUNICATIONS  
WALTER D'HAESELEER  
DIRECTOR  
(904) 413-6600

# Public Service Commission

February 26, 1996 File Number TE726.9601

TELEPHONIX, INC.  
ATTN: Lance Johnson  
P. O. Box 9927  
Panama City, FL 32417-0327

*Direct  
18 inch  
straight wheel  
side 54 middle  
coin slot  
front  
48  
middle*

Dear Payphone Provider:

Service evaluations have been completed on the pay phones listed below. Violation items are referenced on the attached Evaluation Items Form. Please use the Service Violation Correction Form to provide an explanation of the action taken to correct the violation(s). The Service Violation Correction Form must be signed and returned to the Commission staff within 15 calendar days. We suggest you verify that all pay phones you own, that have these same violations, are corrected since fines imposed by the Commission for continuing violations of its pay telephone standards range from \$100 to \$15,000.

NUMBER	PAY PHONE ADDRESS	CITY	VIOLATION ITEMS
- 9042349942	804 THOMAS DR.	PANAMA CITY	BCH 3 6 9 11 29
- 9042348916	4200 MARRIOTT DR.	PANAMA CITY	BCH 1 9
- 9042349576	8700 THOMAS DR.	PANAMA CITY	BCH 6 24
- 9042349650	8930 N. LAGOON DR.	PANAMA CITY	BCH 3 6 8 18 24 27 29
- 9042349429	8930 N. LAGOON DR.	PANAMA CITY	BCH 3 6 8 9 16 24 29
- 9042349746	2727 JOAN DR.	PANAMA CITY	BCH 3 6 9 16 29
- 9042349302	7813 N. LAGOON DR.	PANAMA CITY	BCH 18 29
- 9042349377	7813 N. LAGOON DR.	PANAMA CITY	BCH 6 29
- 9042349756	8511 SURF DR.	PANAMA CITY	BCH 1 6 ← 234-9750
- 9042349048	9400 S. THOMAS DR.	PANAMA CITY	BCH 6
- 9042349432	9400 S. THOMAS DR.	PANAMA CITY	BCH 6 29
- 9042349229	104 THOMAS DR.	PANAMA CITY	BCH 3 6 29

If you have any questions, please contact me at 904/413-6590.

Sincerely,

*Barbara H. Bailey*  
Barbara H. Bailey  
Research Assistant  
Bureau of Service Evaluation

*FOX*  
904 413-6505  
904-413-6504

February 26, 1996

SERVICE VIOLATION CORRECTION FORM  
TELEPHONIX, INC.

TE726.9601

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

NUMBER	CORRECTION
9042349942	#3, #6, #9, #11 #25 COLLECTED
9042348916	#1, #9 COLLECTED
9042349576	#6, #24 COLLECTED
9042349650	#3, #6, #8, #12 #24, #27, #29 COLLECTED
9042349429	#3, #6, #8, #9 #16, #24, #29 COLLECTED
9042349746	#3, #24 COLLECTED
9042349302	#12, #29 COLLECTED
9042349377	#6, #29 COLLECTED
9042349756	UNIT DAMAGED (234-9750 IS BELL SERVICE)
9042349048	UNIT DAMAGED
9042349432	UNIT DAMAGED
9042349229	#3, #6 #29 COLLECTED

Plant Manager  
W. V. Johnson

2

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF COMMUNICATIONS  
WALTER D'HAESELEER  
DIRECTOR  
(904) 413-6600

# Public Service Commission

February 26, 1996 File Number  
TE726.9602

TELEPHONIX, INC.  
ATTN: Lance Johnson  
P. O. Box 9927  
Panama City, FL 32417-0327

Dear Payphone Provider:

Service evaluations have been completed on the pay phones listed below. Violation items are referenced on the attached Evaluation Items Form. Please use the Service Violation Correction Form to provide an explanation of the action taken to correct the violation(s). The Service Violation Correction Form must be signed and returned to the Commission staff within 15 calendar days. We suggest you verify that all pay phones you own, that have these same violations, are corrected since fines imposed by the Commission for continuing violations of its pay telephone standards range from \$100 to \$15,000.

NUMBER	PAY PHONE ADDRESS	CITY	VIOLATION ITEMS
- 9042349994	9450 S. THOMAS DR.	PANAMA CITY	BCH 1 2 6
- 9042349556	9600 THOMAS DR.	PANAMA CITY	BCH 3 6 9 29
- 9042349653	8720 THOMAS DR.	PANAMA CITY	BCH 2 6 18 27
- 9042342804	6627 THOMAS DR.	PANAMA CITY	BCH 6 9
- 9042349996	5518 THOMAS DR.	PANAMA CITY	BCH 2 6 18 25 27
- 9042348919	4924 THOMAS DR.	PANAMA CITY	BCH 1 6 8 13 18 27 29
- 9047639286	2729 HWY. 231	PANAMA CITY	2 6 8 16 25
- 9047639245	2729 HWY. 231	PANAMA CITY	2 3 6 29
- 9047639949	2915 HWY. 231	PANAMA CITY	2 3 6 9 29
- 9047854173	241 W. 15TH ST.	PANAMA CITY	3 6
- 9047639463	1915-B HWY. 231	PANAMA CITY	1 2 3 6 9 13
- 9047639213	1100 JENKS AVE.	PANAMA CITY	6 29

If you have any questions, please contact me at 904/413-6590.

*Plant Manager*  
*W. J. Johnson*

Sincerely,

*Barbara H. Bailey*  
Barbara H. Bailey  
Research Assistant  
Bureau of Service Evaluation

February 26, 1996

SERVICE VIOLATION CORRECTION FORM  
TELEPHONIX, INC.

TE726.9602

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

NUMBER	CORRECTION
9042349994	UNIT REMOVED
9042349556	#2, #6, #7, #20 CORRECTED
9042349653	#6, #18, #27 CORRECTED
9042342804	TAKEN OUT OF SERVICE TEMP.
9042349996	UNIT REMOVED FOR SERVICE
9042349919	" " " "
9047639286	#2, #16, #25 CORRECTED
9047639245	#2, #29 CORRECTED
9047639949	UNIT REMOVED
9047854173	#2, #6 CORRECTED
9047639463	UNIT REMOVED
9047639213	#5, #24 CORRECTED

Plant Manager  
W. L. Johnson

14.15

3

State of Florida

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF COMMUNICATIONS  
WALTER D'HAESELEER  
DIRECTOR  
(904) 413-6600

Public Service Commission

February 26, 1996 File Number  
TE726.9603

TELEPHONIX, INC.  
ATTN: Lance Johnson  
P. O. Box 9927  
Panama City, FL 32417-0327

Dear Payphone Provider:

Service evaluations have been completed on the pay phones listed below. Violation items are referenced on the attached Evaluation Items Form. Please use the Service Violation Correction Form to provide an explanation of the action taken to correct the violation(s). The Service Violation Correction Form must be signed and returned to the Commission staff within 15 calendar days. We suggest you verify that all pay phones you own, that have these same violations, are corrected since fines imposed by the Commission for continuing violations of its pay telephone standards range from \$100 to \$15 000.

NUMBER	PAY PHONE ADDRESS	CITY	VIOLATION ITEMS
9047639210	1100 JENKS DR.	PANAMA CITY	1 6 25
- 9042349155	1219 THOMAS DR.	PANAMA CITY	BCH 2 3 6 9 13 29
- 9042349454	1219 THOMAS DR.	PANAMA CITY	BCH 3 5 6 9 13 21 29
- 9042349640	1219 THOMAS DR.	PANAMA CITY	BCH 3 6 9 29
9042349261	1219 THOMAS DR.	PANAMA CITY	3 8 9 13 18 19 27 29
- 9042349119	9300 FRONT BCH. RD.	PANAMA CITY	BCH 2 3 6 9 27 29
- 9042349635	9216 FRONT BCH. RD.	PANAMA CITY	BCH 3 5 6 8 9 18 27
- 9042348324	14666 FRONT BCH. RD.	PANAMA CITY	BCH 3 6
9042349998	14666 FRONT BCH. RD.	PANAMA CITY	BCH 3 6 25 26 29
9042348112	11208 FRONT BCH. RD.	PANAMA CITY	BCH 2 6 8 29
- 9042349313	10440 FRONT BCH. RD.	PANAMA CITY	BCH 6 9
- 9042349421	8813 THOMAS DR.	PANAMA CITY	BCH 2

If you have any questions, please contact me at 904/413-6590.

*W. J. Johnson*

Sincerely,  
*Barbara H. Bailey*  
Barbara H. Bailey  
Research Assistant  
Bureau of Service Evaluation



February 26, 1996

SERVICE VIOLATION CORRECTION FORM  
TELEPHONIX, INC.

TE726.9603

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

NUMBER	CORRECTION
9047639210	#1 NO DIAL TONE - REPAIR TO TEL. CO #6, #25 CORRECTED
9042349155	#3 #6 #9 #13 #29 COLLECTED
9042349454	#3 #5 #6 #9 #13 #21 #29 COLLECTED
9042349640	#2 #6 #9 #29 COLLECTED
9042349261	#3 #5 #7 #13 #18 #19 #27 #29 COLLECTED
9042349119	#2 #6 #9 #27 #29 COLLECTED
9042349635	UNIT REMOVED
9042348324	# WRONG 15 235-9078 1#3, #6 COLLECTED
9042349998	# 11 15 235-9076 #3 #6 #25 #26 #29 COLLECTED
9042348112	#6 #8 #29 COLLECTED
9042349313	#6 - #1 COLLECTED
9042349421	UNIT BEING REMOVED

\* TEL #'S SCRAMBLED BY TO. REPAIR TEL. INSTALLERS WHEN ADDING ADDITIONAL SERVICE TO BLDG.

Plant Manager  
W. Johnson

Commissioners:  
SUSAN F. CLARK, CHAIRMAN  
J. TERRY DEASON  
JULIA L. JOHNSON  
DIANE K. KIESLING  
JOE GARCIA



DIVISION OF COMMUNICATIONS  
WALTER D'HAESELEER  
DIRECTOR  
(904) 413-6600

## Public Service Commission

February 26, 1996 File Number  
TE726.9604

TELEPHONIX, INC.  
ATTN: Lance Johnson  
P. O. Box 9927  
Panama City, FL 32417-0327

Dear Payphone Provider:

Service evaluations have been completed on the pay phones listed below. Violation items are referenced on the attached Evaluation Items Form. Please use the Service Violation Correction Form to provide an explanation of the action taken to correct the violation(s). The Service Violation Correction Form must be signed and returned to the Commission staff within 15 calendar days. We suggest you verify that all pay phones you own, that have these same violations, are corrected since fines imposed by the Commission for continuing violations of its pay telephone standards range from \$100 to \$10,000.

NUMBER	PAY PHONE ADDRESS	CITY	VIOLATION ITEMS
9042349442	12390 FRONT BEACH RD.	PANAMA CITY BCH 1 6	
9042349951	804 THOMAS DR.	PANAMA CITY BCH 3 6 9	
9042348508	4200 MARRIOTT DR.	PANAMA CITY BCH 29	

If you have any questions, please contact me at 904/413-6590.

Sincerely,

*Barbara H. Bailey*

Barbara H. Bailey  
Research Assistant  
Bureau of Service Evaluation

*W. T. Johnson*

February 26, 1996

SERVICE VIOLATION CORRECTION FORM  
TELEPHONIX, INC.

TE726.9604

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

NUMBER	CORRECTION
9042349442	# LINE RECONNECTED TO TEL. CO. FOR REPAIR #6 COLLECT
9042349951	#3 - #6 - #9 COLLECTED
9042348508	

*W. J. Johnson*  
*W. J. Johnson*

# TELEPHONIX

(904) 233-1199 • FAX (904) ~~233-1199~~  
913-6156

## FAX COVER SHEET

PLEASE DELIVER IMMEDIATELY

DATE 04-01-96

TO Barbara Bailey

FROM Betty

REF: File # Te 726.9601

# OF PAGES (INC COVER) \_\_\_\_\_

RESPONSE REQUESTED YES NO

### SPECIAL COMMENTS:

Thank you Barbara

For your Help ☺

Have a nice April Fools day,

6900 West Highway 98 • Suite A • Panama City, Florida 32407

REF: DOCKET # 960285-TC  
ORDER # 960285-TC

REGARDING THE TWENTY (20) OF THIRTY-NINE (39) PAY TELEPHONES INSPECTED, OF WHICH SHOWED IMPROPER ROUTING OF 0+ LOCAL CALLS TO OPTICOM, RATHER THAN THE LOCAL EXCHANGE COMPANY:

YOU ARE CORRECT IN YOUR ASSUMPTION THAT IT DID NOT RESULT FROM NEGLIGENCE OR POOR MAINTENANCE. ALL OUR PAY TELEPHONES ARE PROGRAMMED FROM ONE "MASTER" COMPUTER. NO PROGRAMMING IS DONE IN THE FIELD BY INSTALLER/REPAIR PERSONNEL.

PRIOR TO VISITATION BY YOUR STAFF BEGINNING ON FEBRUARY 13 WE EXPERIENCED MAJOR PROBLEMS WITH THE "MASTER" COMPUTER REQUIRING SEVERAL VISITS BY THE COMPUTER REPAIRMAN. DURING SUCH REPAIRS WE LOST SOME OF THE BASIC PROGRAMMING TO SOME OF OUR TELEPHONES. ALL LOST PROGRAMMING WAS CORRECTED AND ALL UNITS ARE OPERATING AS ORIGINALLY DIRECTED. THEY ARE WITHIN ALL FLORIDA PUBLIC SERVICE COMMISSION GUIDELINES AND RULES.

THERE WAS AT NO TIME ANY INTENT TO PURPOSEFULLY ROUTE CALLS IN VIOLATION OF RULE 25-2Y.515(7). TRAFFIC TO THE L.E.C. VIA 0+904+7 IS INSIGNIFICANT COMPARED TO LONG DISTANCE CALLS.

SURELY IF IT WERE OUR INTENTION TO BREAK F.P.S.C. RULES TO A FINANCIAL BENEFIT WE WOULD HAVE CHOSEN ANY OF SEVERAL MORE LUCRATIVE WAYS.

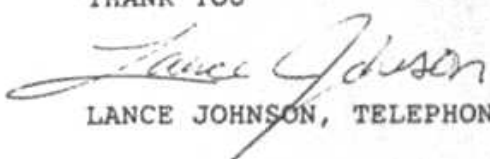
FURTHERMORE: WE WERE WELL AWARE OF YOUR STAFF EVALUATING TELEPHONIX ON THE FIRST DAY SUCH PERSONNEL SO DOING. IF WE HAD BEEN AWARE OF THE 0+904+7 PROBLEM WE WOULD HAVE CORRECTED SAME AT ONCE BY SIMPLY DIRECTING THE COMPUTER TO CORRECT THE PROGRAMMING FAILURE, PRIOR TO EVALUATORS FINDING THE ERROR. HOWEVER, WE WERE NOT AWARE 0+904+7 WAS ROUTING INCORRECTLY ON SOME OF OUR PAY TELEPHONES.

TO SHOW OUR CONCERN TO PROPERLY ADMINISTER THE TRUST YOU SHOWED US WHEN ISSUING OUR CERTIFICATE #3253 OVER FOUR (4) YEARS AGE WE HAVE DONE THE FOLLOWING:

1. CORRECTED ALL VARIANCES NOTED BY YOUR STAFF.
2. REMOVED FROM SERVICE SOME TWENTY-FIVE (25) HIGH VANDALISM PAY TELEPHONE LOCATIONS.
3. REPLACED FIELD PERSONNEL TOTALLY.

WE TRUST THE ABOVE STATEMENT OF FACTS ARE SUFFICIENT TO REGAIN ANY LOSS OF CONFIDENCE YOU MAY HAVE HAD IN OUR OPERATION OF THE REMAINING SIXTY-TWO (62) PAY TELEPHONE UNITS STILL OPERATED BY OUR COMPANY.

THANK YOU

  
LANCE JOHNSON, TELEPHONIX INC.