

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of Show Cause ) DOCKET NO. 960649-TC  
Proceeding Against Telaleasing ) ORDER NO. PSC-96-1349-FOF-TC  
Enterprises, Inc., for Violation ) ISSUED: November 18, 1996  
of Rules 25-24.515, F.A.C., Pay )  
Telephone Service, and 25-4.043, )  
F.A.C., Response to Commission )  
Staff Inquiries )  
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The following Commissioners participated in the disposition of this matter:

JOE GARCIA  
JULIA L. JOHNSON  
DIANE K. KIESLING

ORDER RESOLVING SHOW CAUSE PROCEEDING

BY THE COMMISSION:

Telaleasing Enterprises, Inc. (Telaleasing) is a provider of pay telephone service, certificated September 12, 1989. According to local exchange company records, Telaleasing owns and operates approximately 578 pay telephones in Florida. Telaleasing reported gross operating revenues of \$1,433,182 on its 1995 Regulatory Assessment Fee Return.

In Docket No. 910788-TC, by Order No. PSC-92-1007-FOF-TC, issued September 21, 1992, we required Telaleasing to show cause why it should not be fined \$5,000 for violations of Rules 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries and 25-24.515 (13), Florida Administrative Code, Pay Telephone Service, Wheelchair Accessibility. In response, Telaleasing proposed as a settlement to bring its pay telephones into compliance and pay a \$5,000 fine. We accepted the company's proposal and the docket was closed after payment was made.

Between January 1, 1994, and March 8, 1996, our staff performed 308 service evaluations and found a total of 688 apparent violations of the pay telephone service standards. The violations included 106 cases where wheelchair accessibility was unavailable, 35 cases in which a pay telephone was unable to receive incoming calls, 26 cases in which access to all locally available interexchange carriers was not available, and 14 cases where 0+ intraLATA calls did not go to the local exchange company operator.

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Moreover, the company was late in responding to staff inquiries 27 out of 56 times.

On July 16, 1996, we issued Order No. PSC-96-0912-FOF-TC, which again required Telaleasing to show cause why it should not be fined and/or have its certificate cancelled for violations of Rules 25-24.515 and 25-4.043, Florida Administrative Code. On July 23, 1996, Telaleasing filed its response to the Order. In its response, Telaleasing requested a hearing. In subsequent telephone conversations with our staff, Telaleasing requested copies of the pay telephone service evaluations and its responses. A copy of the staff file was provided to Telaleasing.

On September 26, 1996, we received a letter from Telaleasing in which the company proposed an informal resolution to this proceeding. First, Telaleasing proposed to pay a fine of \$10,000. Second, to prevent future complaints, Telaleasing proposed to bring all of its pay telephones into compliance with applicable rules by December 31, 1996. We find that the terms of the settlement proposal are fair and reasonable and that the proposal is an appropriate resolution of this proceeding.

The fine of \$10,000 shall be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285 (1), Florida Statutes. With remittance of the fine, this docket shall be closed. We intend to conduct follow-up inspections of Telaleasing's pay telephones after December 31, 1996. We caution that, should Telaleasing continue to violate pay telephone service standards, we will likely undertake further disciplinary action.

Based on the foregoing, it is, therefore,

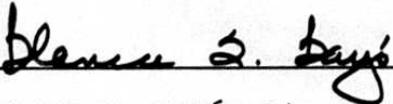
ORDERED by the Florida Public Service Commission that the settlement proposed by Telaleasing Enterprises, Inc., herein described, as resolution of apparent violations of Rules 25-24.515 and 25-4.043, Florida Administrative Code, is accepted. It is further

ORDERED that the fine of \$10,000 shall be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285 (1), Florida Statutes. It is further

ORDERED that this docket shall be closed upon remittance of the fine.

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By ORDER of the Florida Public Service Commission, this 18th  
day of November, 1996.



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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

CJP

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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 after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.