

STATE OF FLORIDA

RAR

Commissioners:
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DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

October 26, 1998

Mr. Richard G. Hersperger
601 Fourth Avenue
Coraopolis, PA 15108

RE: *Docket No. 961309-TI - Application for certificate to provide interexchange telecommunications service by Vendormatic, Inc. d/b/a HSS Vending Distributors, and Initiation of Show Cause Proceedings for violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required.*

Dear Mr. Hersperger:

By letter dated June 15, 1998, Charles Pellegrini, the staff counsel previously assigned to this case, informed Stephan Jurman, Esquire, that the \$5000 settlement proposed by your company was inadequate. He requested a response. We have since been informed by Mr. Jurman that he no longer represents your company in this matter. We have tried unsuccessfully on four separate occasions in the past 10 days to contact you or your legal representative regarding this case. To date, we have not received a response. Therefore, staff intends to file a recommendation at the earliest possible date recommending that your offer of settlement be rejected and asking the Commission to reset this matter for a formal hearing.

If this matter is rescheduled for hearing, a number of procedural dates will be set with which you will be required to comply. You will be required to file testimony, to submit a prehearing statement, and to appear at the prehearing conference and the hearing. If you fail to comply with these dates, we will ask the Commission to cancel the hearing and assess the \$25,000 fine originally proposed in Order No. PSC-97-0937-FOF-TI, issued August 5, 1997.

- ACK _____
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- APP _____
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DOCUMENT NUMBER - DATE

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Internet E-mail: contact@psc.state.fl.us

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We will proceed in this matter as described above unless you respond within 7 days of the date on the return receipt.

Sincerely,

Beth Keating
Staff Counsel

BK/anr