

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 980180-T1 Date Docketed: 02/04/1998 Title:

Initiation of show cause proceedings against Destiny Telecomm International, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-24.490, F.A.C., Customer Relations; Rules Incorporated, 25-4.111, F.A.C., Customer Complaint and Service Requests, 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, and 25-24.485, F.A.C., Tariffs.

Company: Destiny Telecomm International, Inc.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_ Expiration: \_\_\_\_\_

Referred to: \_\_\_\_\_  
 ("(") indicates OPR)

ADM	AFA	APP	CAF	CMU	EAG	GCL	(LEG)	RAR	RRR	WAW
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Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module BB(b)

Staff Assignments

OPR Staff W Cox, K Pena

Staff Counsel W Cox, K Pena

OCRs (CMU) B Hawkins

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with RAR: 03/23/1998

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**  
 Current CASR revision level

3

Due Dates

Previous Current

1. Staff Recommendation	03/26/1998	04/16/1998
2. Agenda - Regular	04/07/1998	04/28/1998
3. PAA Order - Automatic Closing	04/27/1998	05/18/1998
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
X							

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_  
 Date: Pending 4/10/98

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 980180-11 Date Docketed: 02/04/1998 Title: Initiation of show cause proceedings against Destiny Telecomm International, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-24.490, F.A.C., Customer Relations; Rules Incorporated, 25-4.111, F.A.C., Customer Complaint and Service Requests, 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, and 25-24.485, F.A.C., Tariffs.

Company: Destiny Telecomm International, Inc.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_ Expiration: \_\_\_\_\_

Referred to: \_\_\_\_\_  
 ("(") indicates OPR

ADM	AFA	APP	CAF	CMU	EAG	GCL	(LEG)	RAR	RRR	WAW
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Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module BB(b)

Staff Assignments

OPR Staff W Cox, K Pena  
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Staff Counsel W Cox, K Pena  
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OCRs (CMU) B Hawkins  
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with RAR: 03/12/1998

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770  
 Current CASR revision level

2

	Due Dates	
	Previous	Current
1. Staff Recommendation	03/12/1998	03/26/1998
2. Agenda - Regular	03/24/1998	04/07/1998
3. PAA Order - Automatic Closing	04/13/1998	04/27/1998
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
X							

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JLJ/lu  
 Date: 3/20/98

N

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 980180-T1 Date Docketed: 02/04/1998 Title: Initiation of show cause proceedings against Destiny Telecomm International, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-24.490, F.A.C., Customer Relations; Rules Incorporated, 25-4.111, F.A.C., Customer Complaint and Service Requests, 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, and 25-24.485, F.A.C., Tariffs.

Company: Destiny Telecomm International, Inc.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_ Expiration: \_\_\_\_\_

Referred to: \_\_\_\_\_ ADM AFA APP CAF CMU EAG GCL (LEG) RAR RRR WAM  
 ("(") indicates OPR) \_\_\_\_\_ X \_\_\_\_\_ X \_\_\_\_\_

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module BB(b)

Staff Assignments

OPR Staff W Cox, K Pena

Staff Counsel W Cox, K Pena

OCRs (CMU) B Hawkins

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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with RAR: 02/25/1998

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**  
 Current CASR revision level

1

	Due Dates	
	Previous	Current
1. Staff Recommendation	02/26/1998	03/12/1998
2. Agenda - Regular	03/10/1998	03/24/1998
3. PAA Order - Automatic Closing	03/30/1998	04/13/1998
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
X							

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JLJ/wj  
 Date: Pending 3/6/98



**Case Assignment and Scheduling Record**

**Section 1 - Division of Records and Reporting (RAR) Completes**

Docket No 980180-11 Date Docketed 02/04/1998 Title Initiation of show cause proceedings against Destiny Telecomm International, Inc. for violation of Rules 25-4 043, F.A.C., Response to Commission Staff Inquiries, 25-24 490, F.A.C., Customer Relations, Rules Incorporated 25-4 111, F.A.C., Customer Complaint and Service Requests, 25-4 113, F.A.C., Refusal or Discontinuance of Service by Company, F.A.C., and 25-24 485, F.A.C., Tariffs.

Company: Destiny Telecomm International, Inc.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_ Expiration: \_\_\_\_\_

Referred to: \_\_\_\_\_ ADM \_\_\_\_\_ AFA \_\_\_\_\_ APP \_\_\_\_\_ CAF \_\_\_\_\_ CMU X \_\_\_\_\_ EAG \_\_\_\_\_ GCL \_\_\_\_\_ (LEG) X \_\_\_\_\_ RAR \_\_\_\_\_ RRR \_\_\_\_\_ WAW \_\_\_\_\_  
 ("(") indicates OPR)

**Section 2 - OPR Completes and returns to RAR in 10 workdays** Time Schedule

Program/Module BB(b)

Staff Assignments

OPR Staff

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Staff Counsel

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OCRs ( )

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**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**  
 Current CASR revision level

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Day	Due Dates	
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with RAR: \_\_\_\_\_

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

**Section 3 - Chairman Completes**

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_  
 Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

RECEIVED

MAY 18 1998

10:50  
FPSC - Records/Reporting

M E M O R A N D U M

May 15, 1998

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (BEDELL) *CB MCB*

RE: DOCKET NO. 980180-TI - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST DESTINY TELECOMM INTERNATIONAL, INC. FOR VIOLATION OF RULES 25-4.043, RESPONSE TO COMMISSION STAFF INQUIRIES, 25-24.490, CUSTOMER RELATIONS; RULES INCORPORATED, 25-4.111, CUSTOMER COMPLAINTS AND SERVICE REQUESTS, 25-4.113, REFUSAL OR DISCONTINUANCE OF SERVICE BY COMPANY, AND 25-24.485, TARIFFS, FLORIDA ADMINISTRATIVE CODE.

98-0682-SC-TI

Attached is an ORDER TO SHOW CAUSE AND PROPOSED AGENCY ACTION ORDER REQUIRING INTEREXCHANGE CARRIERS TO DISCONTINUE SERVICE TO DESTINY TELECOMM INTERNATIONAL, INC., to be issued in the above-referenced docket. (Number of pages in order - 9)

*See 1, 2*

CB/slh  
Attachment  
cc: Division of Communications (Hawkins)  
Division of Consumer Affairs (C. Pender)  
I:980180.ord

*1 certified to Destiny Telecom*  
*0 mailed*

Agenda for  
Commission Conference  
April 28, 1998

ITEM NO.	CASE
11**	<p>DOCKET NO. 980180-TI - Initiation of show cause proceedings against Destiny Telecomm International, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-24.490, F.A.C., Customer Relations; Rules Incorporated, 25-4.111, F.A.C., Customer Complaint and Service Requests, 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, and 25-24.485, F.A.C., Tariffs.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: LEG: Bedell CAF: C. Peña CMU: Hawkins</p> <p><u>Issue 1:</u> Should Destiny be ordered to show cause why it should not be fined \$25,000 pursuant to Section 364.285, Florida Statutes, or have its Certificate No. 5168 cancelled for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries; Rule 25-24.490, Florida Administrative Code, Customer Relations; Rules Incorporated; 25-4.111, Florida Administrative Code, Customer Complaints and Service Requests; 25-4.113, Florida Administrative Code, Refusal or Discontinuance of Service by Company, and Rule 24-24.485, Florida Administrative Code, Tariffs?</p> <p><u>Recommendation:</u> Yes. The Commission should require Destiny to show cause in writing within 20 days of issuance of the Commission's Order why it should not be fined for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries; Rule 25-24.490, Florida Administrative Code, Customer Relations; Rules Incorporated; Rule 25-4.111, Florida Administrative Code, Customer Complaints and Service Requests; Rule 25-4.113, Refusal or Discontinuance of Service by Company; and Rule 25-24.485 Tariffs, Florida Administrative Code, or have its certificate cancelled. If Destiny fails to respond to the show cause, the fines should be deemed assessed. If the fines are not paid within five business days of expiration of the show cause response period, Destiny's certificate should be cancelled. If the fines are paid, they should be forwarded to the office of the Comptroller for deposit in Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.</p>

ITEM NO.

CASE

11\*\*

DOCKET NO. 980180-TI - Initiation of show cause proceedings against Destiny Telecomm International, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-24.490, F.A.C., Customer Relations; Rules Incorporated, 25-4.111, F.A.C., Customer Complaint and Service Requests, 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, and 25-24.485, F.A.C., Tariffs.

(Continued from previous page)

PAA

Issue 2: Should the Commission order all certified interexchange companies (IXCs) to discontinue providing interexchange telecommunications service to Destiny, pursuant to Rule 25-24.4701(3), Florida Administrative Code?  
Recommendation: Yes. At the conclusion of the show cause, the interexchange companies will be notified to disconnect the service if appropriate.

Issue 3: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, Destiny will have 20 days from issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed. If Destiny does not respond to the Commission's Order to Show Cause, and the fines are not received within five (5) business days after expiration of the show cause period, Destiny's certificate should be cancelled and this docket closed.

# FLORIDA PUBLIC SERVICE COMMISSION

## COMMISSION CONFERENCE AGENDA

**CONFERENCE DATE AND TIME: April 28, 1998, 9:30 a.m.**

**LOCATION: Room 148, Betty Easley Conference Center**

**DATE ISSUED: April 17, 1998**

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### NOTICE

Persons affected by Commission action on certain items on this agenda for which a hearing has not been held (other than actions on interim rates in file and suspend rate cases and declaratory statements) will be allowed to address the Commission when those items are taken up for discussion at this conference. These items are designated by double asterisks (\*\* ) next to the agenda item number. Persons wishing to be heard by the Commission should sign the Appearance Register, which is located on a table immediately inside the hearing room door.

Included in the above category are items brought before the Commission for tentative or proposed action which will be subject to requests for hearing before becoming final. These actions include all tariff filings, items identified as proposed agency action (PAA), show cause actions and certain others.

To obtain a copy of staff's recommendation for any item on this agenda, contact the Division of Records and Reporting at (850) 413-6770. There may be a charge for the copy. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.scri.net/psc>, at no charge.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least five calendar days before the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). Assistive Listening Devices are available in the Division of Records and Reporting, Betty Easley Conference Center, Room 110.

An audio version of the conference is available on the PSC HomePage, and can be accessed live on the day of the Conference or through archive storage up to six months afterward. The Florida Channel also broadcasts a live or tape-delayed video transmission on The Florida Channel via your local cable station and on satellite Telestar 4, Channel 13 (T4, 13).

Agenda for  
Commission Conference  
April 28, 1998

ITEM NO.

CASE

11\*\*

DOCKET NO. 980180-TI - Initiation of show cause proceedings against Destiny Telecomm International, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-24.490, F.A.C., Customer Relations; Rules Incorporated, 25-4.111, F.A.C., Customer Complaint and Service Requests, 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, and 25-24.485, F.A.C., Tariffs.

Critical Date(s): None

Commissioners Assigned: Full Commission  
Prehrg Officer ADM

Staff: LEG: Bedell  
CAF: C. Peña  
CMU: Hawkins

Issue 1: Should Destiny be ordered to show cause why it should not be fined \$25,000 pursuant to Section 364.285, Florida Statutes, or have its Certificate No. 5168 cancelled for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries; Rule 25-24.490, Florida Administrative Code, Customer Relations; Rules Incorporated; 25-4.111, Florida Administrative Code, Customer Complaints and Service Requests; 25-4.113, Florida Administrative Code, Refusal or Discontinuance of Service by Company, and Rule 24-24.485, Florida Administrative Code, Tariffs?

Recommendation: Yes. The Commission should require Destiny to show cause in writing within 20 days of issuance of the Commission's Order why it should not be fined for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries; Rule 25-24.490, Florida Administrative Code, Customer Relations; Rules Incorporated; Rule 25-4.111, Florida Administrative Code, Customer Complaints and Service Requests; Rule 25-4.113, Refusal or Discontinuance of Service by Company; and Rule 25-24.485 Tariffs, Florida Administrative Code, or have its certificate cancelled. If Destiny fails to respond to the show cause, the fines should be deemed assessed. If the fines are not paid within five business days of expiration of the show cause response period, Destiny's certificate should be cancelled. If the fines are paid, they should be forwarded to the office of the Comptroller for deposit in Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

Agenda for  
Commission Conference  
April 28, 1998

ITEM NO.

CASE

11\*\*

DOCKET NO. 980180-TI - Initiation of show cause proceedings against Destiny Telecomm International, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-24.490, F.A.C., Customer Relations; Rules Incorporated, 25-4.111, F.A.C., Customer Complaint and Service Requests, 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, and 25-24.485, F.A.C., Tariffs.

(Continued from previous page)

PAA

Issue 2: Should the Commission order all certified interexchange companies (IXCs) to discontinue providing interexchange telecommunications service to Destiny, pursuant to Rule 25-24.4701(3), Florida Administrative Code?  
Recommendation: Yes. At the conclusion of the show cause, the interexchange companies will be notified to disconnect the service if appropriate.

Issue 3: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, Destiny will have 20 days from issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed. If Destiny does not respond to the Commission's Order to Show Cause, and the fines are not received within five (5) business days after expiration of the show cause period, Destiny's certificate should be cancelled and this docket closed.

