

VOTE SHEET

FEBRUARY 16, 1999

RE: DOCKET NO. 990109-TC - Initiation of show cause proceedings against Peoples Telephone Company for violation of Rule 25-24.515, F.A.C., Pay Telephone Service, and Rule 25-4.0161, F.A.C., Regulatory Assessment Fees, Telecommunications Companies.

Issue 1: Should Peoples Telephone Company, Inc. be ordered to show cause why it should not be fined \$136,150 or Certificate No. 84 should not be canceled for apparent violations of Rule 25-24.515, Florida Administrative Code?

Recommendation: Yes. Due to the number of apparent violations found during routine service evaluations, staff recommends that the Commission order Peoples to show cause why it should not be fined \$136,150 or have its certificate canceled for numerous apparent violations of the Commission's pay telephone service standards in Rule 25-24.515, Florida Administrative Code.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

*Deferred
To the March 30, 1999 Commission
Conference.*

DOCUMENT NUMBER-DATE

~~990109-TC~~ FEB 16 99

VOTE SHEET

FEBRUARY 16, 1999

DOCKET NO. 990109-TC - Initiation of show cause proceedings against Peoples Telephone Company for violation of Rule 25-24.515, F.A.C., Pay Telephone Service, and Rule 25-4.0161, F.A.C., Regulatory Assessment Fees, Telecommunications Companies.

(Continued from previous page)

Issue 2: Should the Commission impose a \$500 fine or cancel Peoples' Pay Telephone Certificate No. 84 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel Peoples' Certificate No. 84 if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within 5 business days after the conclusion of the 21-day protest period. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285 (1), Florida Statutes. If the Commission's order is not protested and the fine and the regulatory assessment fees, including statutory penalties and interest, are not received, Certificate No. 84 should be canceled.

Issue 3: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, an order to show cause will be issued. If Peoples timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. The docket should also remain open to process any protest to Issue 2 that may be filed within 21 days of issuance of the order by a person whose substantial interests are affected by the Commission's proposed agency action. If Peoples does not respond to the Commission's order to show cause, the fine should be assessed, and the company will have five (5) business days from the end of the show cause response period to pay the fine. If Peoples does not respond to the Commission's show cause order within 20 days of issuance of the show cause order, the fine should be assessed. The fine shall be paid within five business days of the end of the show cause response period and forwarded to the Office of the Comptroller for deposit into the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If no timely protest to Issue 2 is filed and Peoples fails to respond to the order to show cause, this docket may be closed.



RECEIVED-FPSC

FEB 11 AM 8:35

RECORDS AND REPORTING

February 11, 1999

-----VIA FACSIMILE-----

Blanca S. Bayó, Director
 Division of Records and Reporting
 Florida Public Service Commission
 2540 Shumard Oak Blvd.
 Tallahassee, Florida 32399-0850

Re: Docket No. 981798-TC

Docket No. [REDACTED]

Dear Ms. Bayó:

The Florida Public Telecommunications Association, Inc. requests that it be included on the mailing list as an interested entity in each of the above-referenced dockets. Please address all correspondence as follows:

Angela B. Green, General Counsel
 Florida Public Telecommunications Association, Inc.
 125 South Gadsden Street, Suite 200
 Tallahassee, Florida 32301

Thank you for your assistance with this matter.

Sincerely,

Angela B. Green
 General Counsel

981798mailinglist.doc

Done 2/11/99