

PAUL SEXTON

ATTORNEY AT LAW

211 SOUTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32301-1809

TELEPHONE (904) 222-9445

TELECOPIER (904) 681-9017

*add
copy
T*

May 19, 1991

**ORIGINAL
FILE COPY**

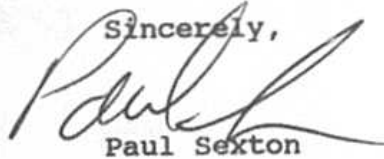
Mr. Steve Tribble
Director
Division of Records & Reporting
101 East Gaines Street
Tallahassee, Florida 32399

Re: ~~Docket No. 910292-TI~~ Show Cause Proceedings Against
Telesphere Network, Inc.

Dear Mr. Tribble:

Enclosed for filing in the above Docket please find an
original and ten copies of the Response to Show Cause and Offer of
Settlement of Telesphere Network, Inc.

Sincerely,



Paul Sexton

- ACK
- AFA _____
- APP _____
- CAF _____
- CMV _____ PS:ses
- CTR _____ enclosure
- EAG _____ cc: Jack Pace
- LEG 1
- LIN 6
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- GTH _____

RECEIVED & FILED



FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

05038 MAY 20 1991

PSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of Show Cause) Docket No. 910292-TI
Proceedings Against Telesphere)
Network, Inc., for Violation of)
Commission Rules 25-4.111(1) and) Dated:
25-4.043 Regarding Responses to)
consumer Complaints.) May 20, 1991
_____)

RESPONSE TO ORDER TO SHOW CAUSE
AND
OFFER OF SETTLEMENT

Telesphere Network, Inc. (Telesphere), by and through its undersigned attorney, responds to Commission Order No. 24448, which requires Telesphere to show cause why it should not be fined in the amount of \$3,800 for violating Commission rules regarding responses to customer complaints. Telesphere requests that the Commission accept its offer of settlement, as set forth below, and close this Docket. In the alternative, Telesphere waives its right to a §120.57(1) hearing and consents to entry of a final order imposing a fine not to exceed \$3,800.

OFFER OF SETTLEMENT

Telesphere hereby offers to pay the sum of \$3,800, in consideration of the time and effort of the Commission and its Staff in pursuing customer complaints and investigating Telesphere's actions this matter and in consideration of entry of an order closing this Docket without further action. Telesphere would offer the following in support of the proposed settlement:

- Telesphere has experienced an unanticipated expansion in its FCC and state PSC complaint inquiries due to mergers with other carriers, overall growth and pending state PSC matters.

DOCUMENT NUMBER-DATE

05038 MAY 20 1991

PSC-RECORDS/REPORTING

Telesphere has taken steps to clear up its complaint backlog and has increased its staff that respond to customer complaint inquiries by the FCC and state PSCs. It has instituted procedures to ensure timely response to Commission Staff inquiries about customer complaints.

- ▶ Telesphere has identified its problems and taken steps to correct them. Telesphere has never refused to comply with or willfully violated any Commission statutes, rules or orders.

WAIVER OF §120.57(1) HEARING

Should the Commission not accept its proposed settlement, Telesphere offers the above statement of facts as its response to Order No. 24448, consents to imposition of a fine not to exceed \$3,800 and waives a hearing under §120.57(1).

Dated: May 20, 1991

Respectfully submitted,



PAUL SEXTON, ESQUIRE
211 South Gadsden Street
Tallahassee, Florida 32301
(904) 222-9445

Attorney for Telesphere Network, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been provided by hand-delivery to John Adams, Staff Attorney, Division of Legal Services, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399-0850, this 20th day of May, 1991.

A handwritten signature in cursive script, appearing to read "Paul Sexton", written over a horizontal line.

Paul Sexton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Initiation of Show Cause) Docket No. 910292-TI
Proceedings Against Telesphere)
Network, Inc., for Violation of)
Commission Rules 25-4.111(1) and) Dated:
25-4.043 Regarding Responses to)
consumer Complaints.) May 20, 1991
_____)

RESPONSE TO ORDER TO SHOW CAUSE
AND
OFFER OF SETTLEMENT

Telesphere Network, Inc. (Telesphere), by and through its undersigned attorney, responds to Commission Order No. 24448, which requires Telesphere to show cause why it should not be fined in the amount of \$3,800 for violating Commission rules regarding responses to customer complaints. Telesphere requests that the Commission accept its offer of settlement, as set forth below, and close this Docket. In the alternative, Telesphere waives its right to a §120.57(1) hearing and consents to entry of a final order imposing a fine not to exceed \$3,800.

OFFER OF SETTLEMENT

Telesphere hereby offers to pay the sum of \$3,800, in consideration of the time and effort of the Commission and its Staff in pursuing customer complaints and investigating Telesphere's actions this matter and in consideration of entry of an order closing this Docket without further action. Telesphere would offer the following in support of the proposed settlement:

- Telesphere has experienced an unanticipated expansion in its FCC and state PSC complaint inquiries due to mergers with other carriers, overall growth and pending state PSC matters.

DOCUMENT NUMBER-DATE

05038 MAY 20 1991

PSC-RECORDS/REPORTING

Telesphere has taken steps to clear up its complaint backlog and has increased its staff that respond to customer complaint inquiries by the FCC and state PSCs. It has instituted procedures to ensure timely response to Commission Staff inquiries about customer complaints.

- Telesphere has identified its problems and taken steps to correct them. Telesphere has never refused to comply with or willfully violated any Commission statutes, rules or orders.

WAIVER OF §120.57(1) HEARING

Should the Commission not accept its proposed settlement, Telesphere offers the above statement of facts as its response to Order No. 24448, consents to imposition of a fine not to exceed \$3,800 and waives a hearing under §120.57(1).

Dated: May 20, 1991

Respectfully submitted,



PAUL SEXTON, ESQUIRE
211 South Gadsden Street
Tallahassee, Florida 32301
(904) 222-9445

Attorney for Telesphere Network, Inc.

DOCKET NO. 910292-TI
JUNE 20, 1991

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been provided by hand-delivery to John Adams, Staff Attorney, Division of Legal Services, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399-0850, this 20th day of May, 1991.



Paul Sexton

Telesphere Network Complaints

1990

<u>Complaint</u>	<u>Date to Co.</u>	<u>Report Due</u>	<u>Report Rcvd</u>	<u>Follow-ups</u>
Wach, V.	1/5/90	1/22/90	timely	--
Charest, C.	2/23/90	3/12/90	4/26/90	--
Johnson, F.	2/26/90	3/13/90	6/11/90	three
Lawson, D.	3/6/90	3/21/90	timely	--
Jones, J.	5/9/90	5/24/90	7/18/90	two
Zoryk, P.	5/14/90	5/29/90	6/11/90	two
Felts, L.	5/24/90	6/8/90	6/17/91	one
Royal Beach	6/6/90	6/21/90	7/16/90	one
Inman, T.	6/19/90	7/5/90	9/17/90	one
Whited, J.	6/22/90	8/1/90 ext	timely	one
Hutcherson	7/13/90	7/30/90	6/17/91	--
Brown, M.	7/17/90	8/1/90	none	two
Christian	7/26/90	8/10/90	10/30/90	two
Cairnie, K.	8/17/90	9/14/90	10/29/90	one
K & F	8/17/90	9/4/90	3/5/91	seven
Hauth, L.	8/27/90	9/11/90	timely	--
Grab-n-Shop	9/25/90	10/10/90	3/5/91	one
Maxon, G.	11/7/90	11/26/90	3/4/91	one
Smith, R.	12/19/90	1/3/91	5/31/91	four
1991				
Meloy, P.	2/1/91	2/15/91	6/3/91	one
Ora at Mel.	2/5/91	2/20/91	4/9/91	one
Mastry, E.	2/26/91	3/13/91	5/14/91	
Horman, D.	3/1/91	3/18/91	3/22/91	
Gonzalez, M.	3/14/91	3/29/91	4/15/91	
Wayside Farm	5/7/91	5/22/91	5/31/91	
Santaella, F.	5/20/91	6/3/91	6/11/91	
Scheiman, H.	5/23/91	6/10/91	6/11/91	
Fletcher, D.	6/4/91	6/19/91	timely	