



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

RECORDS AND REPORTING

53 JUL 15 AM 10:30

RECEIVED-PPSC

DATE: JULY 15, 1999

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (B) *DMC*

FROM: DIVISION OF LEGAL SERVICES (D.CLEMONS) *DMC*
DIVISION OF COMMUNICATIONS (T.E. JOHNSON) *TEJ*

RE: DOCKET NO. 990756-TC - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST TERESA M. MONTE d/b/a/ SYNCOM COMMUNICATIONS FOR APPARENT VIOLATION OF RULE 25-24.515, FLORIDA ADMINISTRATIVE CODE, PAY TELEPHONE SERVICE

AGENDA: 07/27/99 - REGULAR AGENDA - SHOW CAUSE - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\990756.RCM

CASE BACKGROUND

- October 30, 1998 - Teresa M. Monte d/b/a Syncom Communication's 1998 regulatory assessment fee return reported gross intrastate revenues of \$20,783.21 and 33 pay telephones in operation.
- February 16, 1999 - Staff performed a routine service evaluation of a pay telephone station and found an apparent violation as presented in Attachment A (Page 4).
- March 8, 1999 - Staff received a Service Violation Correction Form from Teresa M. Monte d/b/a Syncom Communication signifying that all apparent violations were corrected.
- April 21, 1999 - Staff reevaluated the pay telephone station and again found the same violation as presented in Attachment A.

DOCUMENT NUMBER-DATE

08405 JUL 15 99

PPSC-RECORDS/REPORTING

- June 14, 1999 - Staff opened this docket to investigate whether Teresa M. Monte d/b/a Syncom Communications should be required to show cause why it should not be fined or have its certificate canceled.
- July 8, 1999 - Syncom Communications submitted an offer to settle this case. (Attachment B, Page 5)

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission accept the settlement offer proposed by Teresa M. Monte d/b/a Syncom Communications (Syncom) to resolve the apparent violation of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within ten business days from the issuance date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. (T.E. Johnson)

STAFF ANALYSIS: Staff performed a service evaluation of a pay telephone station on February 16, 1999. Through written correspondence, staff notified Syncom of the apparent violation.

Staff performed a reevaluation of the same pay telephone station on April 21, 1999. Although Syncom reported that the violation had been corrected, the table provided as Attachment A (page 4) depicts the apparent rule violation that was a repeat of a violation observed during the initial evaluation.

Based on the showings of the reevaluation that the pay telephone station exhibited the same apparent violation, staff opened this docket to investigate whether Syncom should be required to show cause why it should not be fined \$100 or have its certificate canceled, pursuant to Section 364.285, Florida Statutes.

On June 30, 1999, Syncom contacted staff to discuss the method for settlement of this case. On July 8, 1999, Syncom submitted its offer to settle provided as Attachment B, (Page 5). In its settlement offer, Syncom agreed to do the following:

- Syncom will voluntarily pay \$100 to the General Revenue Fund.
- Syncom will perform routine inspections of all its pay telephone stations to ensure compliance with Commission rules.

Staff supports Syncom's offer to conduct a thorough inspection of all its pay telephones to ensure compliance with Commission rules. By initiating this action Syncom has created a proactive approach to compliance rather than a reactive response to staff's inquiries.

Any contribution should be received by the Commission within ten business days from the issuance date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Staff believes the terms of the settlement agreement as summarized in this recommendation are fair and reasonable, and we support the voluntary contribution to the General Revenue Fund.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. With the approval of Issue 1, this docket should remain open pending the remittance of the \$100 voluntary contribution. Upon remittance of the settlement payment, this docket should be closed. If the company fails to pay in accordance with the terms of the settlement offer, the monetary settlement will be forwarded to the Comptroller's office for collection, and this docket will be closed. (D.CLEMONS)

STAFF ANALYSIS: This docket should remain open pending the remittance of the \$100 voluntary contribution. Upon remittance of the settlement payment, this docket should be closed. If the company fails to pay in accordance with the terms of its settlement offer, the monetary settlement will be forwarded to the Comptroller's office for collection, and this docket closed.

DOCKET NO. 990756-TC
DATE: JULY 15, 1999

ATTACHMENT A

Pay Telephone Station Number	Rule 25-24.515(3), Florida Administrative Code
	Automatic Coin Return Does Not Function Properly
407-380-1347	X

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ATTACHMENT B

SYNCOM COMMUNICATIONS

488 SHORT PINE CIRCLE

ORLANDO, FL 32807

407-380-1500

07/08/99

Re: Docket Number 990756-TC

Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

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JUL 12 1999

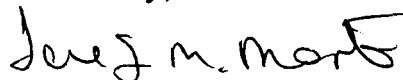
CMU

Dear Sirs:

I would like to offer a settlement of \$100.00 for my violation of the Public Service Commissions standards of payphone operation. I would like to comment on the fact that I tried to duplicate the problem after each violation report and could not do so. I even talked with the first inspector to inquire on the actual test that he did. He told me what test he performed and I realized it was the same routine, preventative maintenance check we perform on all of our payphone sets every time we do repairs or collections. We call it a "nickel, quarter, dime test". I performed this test in the same manner he prescribed twice (once after each report) and could not duplicate the problem. Unfortunately, since I could not duplicate the problem, I noted on your form "corrections made" when in actuality I never found the problem. Elaine Johnson advised me that in the future if I didn't understand or if I was in disagreement with the violation I shouldn't put "corrections made" on the form.

I have and will continue to perform this routine test on all of my pay stations to keep them in compliance. Thank you for your consideration in this very important matter.

Sincerely,



Teresa M. Monte

Owner,

Syncom Communications