

PETITION

PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BLVD
TALLAHASSEE, FLORIDA 32399-0850

10/17/00

RE: DOCKET # 001040-TC

PETITIONER

J. Merritt Guthrie
2843 QUAILHOLLOW ROAD
CLEARWATER, FL 33761
PHONE: 727-725-4852

NOTIFICATION RECEIVED: 10/03/00, VIA CERTIFIED MAIL from the PUBLIC SERVICE COMMISSION That PATs Certificate # 5602 was to be cancelled.

DISPUTED ISSUES: NONE

STATEMENT OF MATERIAL FACTS REQUIRING REVERSAL OF PUBLIC SERVICE COMMISSION DECISION:

1. On or about September 8th, 2000, I received a **regular letter** via US Postal Service from the Public Service Commission that my certificate was to be cancelled for violation of Rule # 25-4.0161.
2. The noticed stated that the PSC was to meet on docket # 001040-TC on September 26th, 2000. I immediately checked my records. I found that I had secured revenue and expense figures for my accountant but, I had failed to submit the Regulatory Assessment Fee Return for 1999.
3. I completed the form and forwarded to the PSC on September 10th, 2000 along with check # 455 in the amount of \$50.00.
4. I was notified by the PSC, via regular letter, that they had received and deposited my check on September 19th, 2000 and that I still owed penalty and interest for 1999 of \$16.50.
5. I CALLED the number listed on the letter to inquire about payment on October 13th, 2000 and spoke to Jackie. It was at that time that she advised me that I still owed Penalty and Interest from 1998 in the amount of \$3.00. I asked why I never received notification and/or why was it not on this statement? She advised that because the amount **so small** that they **do not** send out notification.
6. Check # 477, Dated October 13th, 2000, \$19.50 issued and mailed for ALL penalties and interest for 1999 and 1998.

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13258 OCT 18 00

FPSC-RECORDS/REPORTING

7. I inquired as to what I could do about the PSC decision to cancel my certificate. She tried to connect me to Ms Paula Isler at 850-413-6502. It turns out that MS Isler was out for the day on Friday, October, 13th, 2000.
8. On Monday, October 16th, 2000, I did speak to MS Isler. I inquired as to why docket # 001040-TC was even heard since I had documentation that my form and payment was received a **full week** prior to the Commission meeting of September 26th, 2000? Ms Isler advised that it can take up to **two weeks** before payment information is posted to the records. Ms Isler advised that I now needed to submit a petition and forwarded me the information to do so.

STATEMENT OF CHANGES NEEDED:

Prior to cancellation or action on certificates, can records be checked for last minute efforts to meet compliance. Update internal record keeping insuring timeliness of required data. Avoids costly re-work by certificate holders and the Commission.

STATEMENT OF RELIEF SOUGHT: DOCKET # 001040-TC

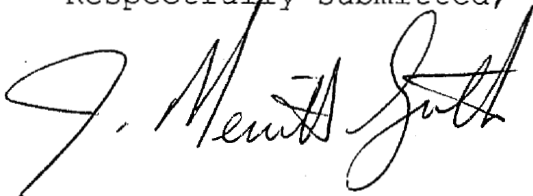
All penalties and interest have been paid as indicated above.
Check # 477, Dated 10/13/2000, \$19.50.

A process has been set up with my accountant to insure when annual revenue and expense figures for the payphones are submitted that the Pay Telephone Service Provider Regulatory Assessment Fee Return is also completed and enclosed.

The fees owed have been the minimum amount for the past two years. The profits earned very minuscule. Once the non-compliance was realized, every effort and means known to become compliant was done. Payment and form was received and documented by the PSC **seven** days prior to their meeting date and should not have been on the agenda.

Settlement Request: Request Penalties and Interest that have already been paid and certificate # 5602 reinstated.

Respectfully submitted,



J. Merritt Guthrie