



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4774

DATE FILMED 10/8/98 CAMERA NO. 2

CAMERA MAN EST

98043900659

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: March 4, 1998

ANALYST: Andrew Dodson

I. COMMITTEE: TECO Energy Inc. Employees' PAC
(C00161422)
Raymond Henagan, Treasurer*
(February 21, 1997 - Present)
P.O. Box 111
Tampa, FL 33601

II. RELEVANT STATUTE: 11 CFR §104.5(c)(2)(i)(A)
2 U.S.C. §434(a)(4)(A)(iv)

III. BACKGROUND:

Failure to Timely File the 1997 Mid-Year Report

The TECO Energy Inc. Employees' PAC ("the Committee") failed to timely file the 1997 Mid-Year Report of Receipts and Disbursements covering the period from January 1, 1997 through June 30, 1997. The Committee was notified on December 30, 1996 and July 7, 1997 that the report was due on July 31, 1997 (Attachment 2). A Non-Filer Notice was sent to the Committee via mailgram on August 19, 1997 for failure to file the 1997 Mid-Year Report (Attachment 3).

On September 15, 1997, the Reports Analysis Division ("RAD") analyst attempted to contact the Committee Treasurer, Raymond Henagan, and left a message. On September 16, 1997 Ms. Robin Hastings called the RAD analyst and stated that the report would be filed as soon as possible (Attachment 4).

On November 3, 1997 the Commission received the Committee's 1997 Mid-Year Report (Attachment 5).

* Two other people signed as treasurer and one person identified as treasurer but RAD has never been notified of these people.

FEDERAL ELECTION COMMISSION
1995-1996
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE JAN98

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
				TYPE OF FILER		
TECO ENERGY INC EMPLOYEES' PAC				ID #C00161422 NON-PARTY QUALIFIED		
CONNECTED ORGANIZATION: NONE						
	1995 STATEMENT OF ORGANIZATION - AMENDMENT			30JAN95	2	95FEC/964/2192
	REQUEST FOR ADDITIONAL INFORMATION			20SEP95	2	95FEC/998/1074
	STATEMENT OF ORGANIZATION - AMENDMENT			20CT95	3	95FEC/999/1069
	MID-YEAR REPORT	25,660	10,501	1JAN95 - 30JUN95	8	95FEC/992/1474
	YEAR-END	24,735	9,695	1JUL95 - 31DEC95	13	96FEC/022/5387
	YEAR-END - AMENDMENT	24,735	9,695	1JUL95 - 31DEC95	14	96FEC/040/0606
	REQUEST FOR ADDITIONAL INFORMATION			1JUL95 - 31DEC95	2	96FEC/037/0904
	1996 STATEMENT OF ORGANIZATION - AMENDMENT			29JAN96	2	96FEC/022/5384
	APRIL QUARTERLY	12,457	29,270	31JAN96 - 31MAR96	17	96FEC/045/3113
	1 ST LETTER INFORMATIONAL NOTICE			31JAN96 - 31MAR96	2	96FEC/055/1216
	JULY QUARTERLY	11,903	23,483	1APR96 - 30JUN96	9	96FEC/063/5075
	PRE-PRIMARY	8,304	16,177	1JUL96 - 14AUG96	12	96FEC/075/1235
	PRE-RUN-OFF	3,945	6,558	15AUG96 - 11SEP96	8	96FEC/078/4709
	OCTOBER MONTHLY	3,438	3,514	12SEP96 - 30SEP96	11	96FEC/102/1375
	PRE-GENERAL	3,889	3,167	1OCT96 - 16OCT96	10	96FEC/120/0356
	PRE-GENERAL - AMENDMENT	4,389	3,167	1OCT96 - 15OCT96	4	97FEC/175/3322
	POST-GENERAL	122	416	17OCT96 - 25NOV96	9	96FEC/152/1758
	POST-GENERAL - AMENDMENT	122	416	17OCT96 - 25NOV96	3	97FEC/175/3326
	YEAR-END	7,674	735	26NOV96 - 31DEC96	13	97FEC/175/3309
	TOTAL	102,627	103,420		144	TOTAL PAGES

All Reports Have Been Reviewed.

DATE 3MAR98

FEDERAL ELECTION COMMISSION

1997-1998

COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
				TYPE OF FILER		
TECO ENERGY INC EMPLOYEES' PAC				ID #C00161422 NON-PARTY QUALIFIED		
CONNECTED ORGANIZATION: NONE						
	1997 STATEMENT OF ORGANIZATION - AMENDMENT			24FEB97	2	97FEC/186/1970
	MID-YEAR REPORT	23,659	18,398	1JAN97 - 30JUN97	10	97FEC/248/2436
	MID-YEAR REPORT - AMENDMENT	23,659	18,398	1JAN97 - 30JUN97	10	98FEC/271/3179
	NOTICE OF FAILURE TO FILE			1JAN97 - 30JUN97	2	97FEC/236/0516
	YEAR-END	25,571	15,463	1JUL97 - 31DEC97	14	98FEC/271/3189
	TOTAL	49,230	33,861		38	TOTAL PAGES

All Reports Have Been Reviewed.

Ending Cash-On-Hand as of 12/31/97: \$25,560

Outstanding Debts and Obligations Owed to the Committee: \$0

Outstanding Debts and Obligations Owed by the Committee: \$0

96043901662

YEAR-END REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

December 30, 1996

QUARTERLY AND MONTHLY FILERS

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Year-End	11/26/96 - 12/31/96	01/31/97	01/31/97

WHO MUST FILE

All party committees and PACs (nonconnected committees and separate segregated funds) must file a Year-End Report.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

COMPLIANCE

Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms (except for FEC approved computer generated forms) will be required to refile.

*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

**Reports sent registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

(over)

PARTIES AND PACS

YEAR-END

1997 REPORTING SCHEDULE
PARTIES AND PACS*

I. SEMIANNUAL FILERS**

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE***	FILING DATE
Mid-Year	01/01/97 - 06/30/97	07/31/97	07/31/97
Year-End	07/01/97 - 12/31/97	01/31/98	01/31/98

II. MONTHLY FILERS

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE***	FILING DATE
February	01/01/97 - 01/31/97	02/20/97	02/20/97
March	02/01/97 - 02/28/97	03/20/97	03/20/97
April	03/01/97 - 03/31/97	04/20/97	04/20/97
May	04/01/97 - 04/30/97	05/20/97	05/20/97
June	05/01/97 - 05/31/97	06/20/97	06/20/97
July	06/01/97 - 06/30/97	07/20/97	07/20/97
August	07/01/97 - 07/31/97	08/20/97	08/20/97
September	08/01/97 - 08/31/97	09/20/97	09/20/97
October	09/01/97 - 09/30/97	10/20/97	10/20/97
November	10/01/97 - 10/31/97	11/20/97	11/20/97
December	11/01/97 - 11/30/97	12/20/97	12/20/97
Year-End	12/01/97 - 12/31/97	01/31/98	01/31/98

*Committees that wish to change their filing status must notify the Commission in writing when they file their next report due under their current reporting schedule.

**Committees that filed quarterly reports in 1996 are only required to file semiannually in 1997.

***Reports sent registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

FOR MORE INFORMATION CALL: 800/424-9530 OR 202/219-3420

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MID-YEAR REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

July 7, 1997

WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file either a mid-year or monthly report in July.

I. Quarterly Filers

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Mid-Year	01/01/97 - 06/30/97	07/31/97	07/31/97

II. Monthly Filers

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
July Monthly	06/01/97 - 06/30/97	07/20/97	07/20/97

24 HOUR REPORT ON INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with a special election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the day of the election.

LABEL

Committees should affix the peel-off label from the envelope to line 1 of the report. Corrections should be made on the label.

*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

** Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

(over)

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from monthly to semiannual) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

ELECTRONIC FILING

For reports covering activity occurring in 1997 (and later), political committees have the option of filing electronically. If you are interested in this option, review the enclosed handout entitled "Electronic Filing Gets Underway at FEC," and call the Data Division at (800) 424-9530 or (202) 219-3730.

COMPLIANCE

Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms (except for FEC approved computer generated forms) will be required to refile.

AUG 19 1997

WESTERN
UNION

ELECTRONIC MAIL SERVICES
CONFIRMATION OF MAILGRAM TO: TECO ENERGY INC EMPLOYEES' PAC
RAYMOND MENAGAN
PO BOX 111
TAMPA FL 33601-0111

FEDERAL ELECTION COMMISSION
SHAWN WERTH
999 E ST. NW.
WASHINGTON DC 204630001

IDENTIFICATION NUMBER: C00161422

REFERENCE: MID-YEAR (01/01/1997 - 06/30/1997)

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED. YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C. 20463 (OR WITH THE SECRETARY OF THE SENATE). A COPY OF THE REPORT OR RELEVANT PORTIONS SHOULD ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER.

ALTHOUGH THE COMMISSION MAY INITIATE AN AUDIT OR LEGAL ENFORCEMENT ACTION CONCERNING THIS MATTER, YOUR PROMPT RESPONSE AND A LETTER OF EXPLANATION WILL BE TAKEN INTO CONSIDERATION.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT JENNIFER K. WALL ON OUR TOLL FREE NUMBER (800) 424-9530. OUR LOCAL NUMBER IS (202) 219-3580.

SINCERELY,

JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

TELECON

ANALYST: Andrew Dodson

CONVERSATION WITH: Robin Hastings, PAC Coordinator

COMMITTEE: TECO Energy INC Employees' PAC

DATE: September 16, 1997

SUBJECT: Failure to file the 1997 Mid Year report

On 9/15/97 I called Raymond Henagan, treasurer of TECO Energy INC Employees' PAC, and left a message concerning the failure of the committee to file a 1997 Mid Year report. On 9/16/97 Robin Hastings returned my call and stated that she would file the report as soon as possible.

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REPORT OF RECEIPTS AND DISBURSEMENTS

Attachment # 5

Page 1 of 1

For Other Than An Authorized Committee
(Summary Page)RECEIVED
FEDERAL ELECTION
COMMISSION MAIL ROOM

Nov 3 12 07 PM '97

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full)

TECO Energy Inc Employees PAC

ADDRESS (number and street) ☐ Check if different than previously reported

P.O. Box 111

CITY, STATE and ZIP CODE

Tampa, FL 33601

2. FEC IDENTIFICATION NUMBER

C00161422

3. ☒ This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

4. TYPE OF REPORT

(a) ☐ April 15 Quarterly Report☐ July 15 Quarterly Report☐ October 15 Quarterly Report☐ January 31 Year End Report☒ July 31 Mid Year Report (Non-election Year Only)☐ Termination Report

Monthly Report Due On:

☐ February 20☐ June 20☐ October 20☐ March 20☐ July 20☐ November 20☐ April 20☐ August 20☐ December 20☐ May 20☐ September 20☐ January 31☐ Twelfth day report preceding _____

(Type of Election)

election on _____ in the State of _____

☐ Thirtieth day report following the General Election on _____

in the State of _____

(b) Is this Report an Amendment?

☐ YES☒ NO

SUMMARY

5. Covering Period 1/1/97 through 6/30/97

COLUMN A
This PeriodCOLUMN B
Calendar Year-to-Date

6. (a) Cash on Hand January 1, 19 97

\$ 9,892.27

(b) Cash on Hand at Beginning of Reporting Period

\$ 9,892.27

(c) Total Receipts (from Line 19)

\$ 23,659.88

\$ 23,659.88

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and
Lines 6(a) and 6(c) for Column B)

\$ 33,552.15

\$ 33,552.15

7. Total Disbursements (from Line 30)

\$ 18,398.95

\$ 18,398.95

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

\$ 15,153.20

\$ 15,153.20

9. Debts and Obligations Owed TO the Committee
(Itemize all on Schedule C and/or Schedule D)

\$

For further information contact:
Federal Election Commission
999 E Street, NW
Washington, DC 20463
Toll Free 800-424-9530
Local 202-219-342010. Debts and Obligations Owed BY the Committee
(Itemize all on Schedule C and/or Schedule D)

\$

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Robin J. Hastings

Signature of Treasurer

R. J. Hastings

Date

10/22/97

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

FEC FORM 3X

(revised 9/93)

RECEIVED
FEDERAL ELECTION
COMMISSION
JUL 13 12 00 PM '98

FEDERAL ELECTION COMMISSION

999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 98NF-01

DATE ACTIVATED: June 18, 1998

STAFF MEMBERS:

Kamau Philbert

Deborah Rice

RESPONDENTS:

TECO Energy Inc. Employees' PAC and
Robin J. Hastings, as treasurer

RAD REFERRAL: 98NF-03

DATE ACTIVATED: June 18, 1998

STAFF MEMBERS:

Ruth Heilizer

Deborah Rice

RESPONDENTS:

Harry S. Truman Club - Federal and
Linda Tochtermann, as treasurer

RAD REFERRAL: 98NF-07

DATE ACTIVATED: June 18, 1998

STAFF MEMBERS:

Susan Lebeaux

Eric Brown

RESPONDENTS:

Allegheny Teledyne Incorporated
Political Action Committee (AT-PAC) and
Dale G. Reid, as treasurer

98043200670

RAD REFERRAL: 98NF-08

DATE ACTIVATED: June 18, 1998

STAFF MEMBERS:

Mary Taksar

Eric Brown

RESPONDENTS: North Side Good Government Committee and
Michael Hagan, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(iv)

SOURCE: INTERNALLY GENERATED

INTERNAL REPORTS CHECKED: Referral Materials
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTERS

These matters were generated by four referrals that the Office of the General Counsel received from the Reports Analysis Division ("RAD"). On March 4, 1998, RAD referred TECO Energy Inc. Employees' PAC and its treasurer based on the failure to timely file the 1997 Mid-Year Report. On March 6, 1998, RAD referred the Harry S. Truman Club - Federal and its treasurer based on the failure to timely file the 1997 Mid-Year Report. On June 16, 1998, RAD referred the Allegheny Teledyne Incorporated Political Action Committee (AT-PAC) and Dale G. Reid, as treasurer, based on the failure to timely file the 1997 Year End Report. On June 16, 1998, RAD referred the North Side Good Government Committee and Michael Hagan, as treasurer, based on the failure to timely file the 1997 Mid-Year Report.

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II. FACTUAL AND LEGAL ANALYSES

Based on the Factual and Legal Analysis, Attachment 1, this Office recommends that the Commission find reason to believe that TECO Energy Inc. Employees' PAC and Robin J. Hastings, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).

Based on the Factual and Legal Analysis, Attachment 2, this Office recommends that the Commission find reason to believe that the Harry S. Truman Club - Federal and Linda Tochtermann, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).

Based on the Factual and Legal Analysis, Attachment 3, this Office recommends that the Commission find reason to believe that the Allegheny Teledyne Incorporated Political Action Committee (AT-PAC) and Dale G. Reid, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).

Based on the Factual and Legal Analysis, Attachment 4, this Office recommends that the Commission find reason to believe North Side Good Government Committee and Michael Hagan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTIES

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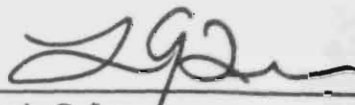
IV. RECOMMENDATIONS

1.
 - a. Open a MUR in RAD Referral 98NF-01.
 - b. Find reason to believe TECO Energy Inc. Employees' PAC and Robin J. Hastings, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), and enter into conciliation prior to a finding of probable cause to believe.
 - c. Approve the attached Factual and Legal Analysis and Conciliation Agreement.
2.
 - a. Open a MUR in RAD Referral 98NF-03.
 - b. Find reason to believe Harry S. Truman Club - Federal and Linda Tochtermann, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).
 - c. Approve the attached Factual and Legal Analysis.
 - d. Take no further action and close the file.
3.
 - a. Open a MUR in RAD Referral 98NF-07.
 - b. Find reason to believe that the Allegheny Teledyne Incorporated Political Action Committee (AT-PAC) and Dale G. Reid, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).
 - c. Approve the attached Factual and Legal Analysis.
 - d. Take no further action and close the file.
4.
 - a. Open a MUR in RAD Referral 98NF-08.

- b. Find reason to believe that North Side Good Government Committee and Michael Hagan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), and enter into conciliation prior to a finding of probable cause to believe.
 - c. Approve the attached Factual and Legal Analysis and Conciliation Agreement.
5. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

7/19/98
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments:

1. TECO Energy Inc. Employees' PAC Factual and Legal Analysis
2. Harry S. Truman Club - Federal Factual and Legal Analysis
3. Allegheny Teledyne Incorporated Political Action Committee Factual and Legal Analysis
4. North Side Good Government Committee Factual and Legal Analysis
5. TECO Energy Inc. Employees' PAC Conciliation Agreement
6. North Side Good Government Committee Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

TECO Energy Inc. Employees' PAC and
Robin J. Hastings, as treasurer;

Harry S. Truman Club - Federal and
Linda Tochtermann, as treasurer;

Allegheny Teledyne Incorporated
Political Action Committee (AT-PAC)
and Dale G. Reid, as treasurer;

North Side Good Government Committee
and Michael Hagan, as treasurer.

)
)
) RAD Referral
) #98NF-01

)
) RAD Referral
) #98NF-03

)
) RAD Referral
) #98NF-07

)
) RAD Referral
) #98NF-08

MUR 4774

MUR 4775

MUR 4776

MUR 4777

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 16, 1998, the Commission decided by a vote of 5-0 to take the following actions in RAD Referrals #98NF-01, 03, 07, 08:

1. a. Open a MUR in RAD Referral 98NF-01.
- b. Find reason to believe TECO Energy Inc. Employees' PAC and Robin J. Hastings, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), and enter into conciliation prior to a finding of probable cause to believe.
- c. Approve the Factual and Legal Analysis and Conciliation Agreement, as recommended in the General Counsel's Report dated July 10, 1998.
2. a. Open a MUR in RAD Referral 98NF-03.
- b. Find reason to believe Harry S. Truman Club - Federal and Linda Tochtermann, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).

MUR 4774

MUR 4775

(continued)

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- 98043900679
- c. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated July 10, 1998.
 - d. Take no further action and close the file.
 - 3.
 - a. Open a MUR in RAD Referral 98NF-07. MUR 4776
 - b. Find reason to believe that the Allegheny Teledyne Incorporated Political Action Committee (AT-PAC) and Dale G. Reid, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).
 - c. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated July 10, 1998.
 - d. Take no further action and close the file.
 - 4.
 - a. Open a MUR in RAD Referral 98NF-08. MUR 4777
 - b. Find reason to believe that North Side Good Government Committee and Michael Hagan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), and enter into conciliation prior to a finding of probable cause to believe.
 - c. Approve the Factual and Legal Analysis and Conciliation Agreement, as recommended in the General Counsel's Report dated July 10, 1998.
 - 5. Approve the appropriate letters, as recommended in the General Counsel's Report dated July 10, 1998.

(Continued)

Federal Election Commission
Certification for RAD Referrals 98NF-01, 03, 07, 08
July 10, 1998

Page 3

Commissioners Aikens, Elliott, McDonald, McGarry, and
Thomas voted affirmatively for the decision.

Attest:

7-16-98
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., July 10, 1998 12:03 p.m.
Circulated to the Commission: Mon., July 13, 1998 11:00 a.m.
Deadline for vote: Thurs., July 16, 1998 4:00 p.m.

lrd

9804390068C



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 23, 1998

TECO Energy Inc. Employees' PAC
c/o Robin J. Hastings, Treasurer
702 N. Franklin Street, Plaza 9
Tampa, FL 33602

RE: MUR 4774

Dear Ms. Hastings:

On July 16, 1998, the Federal Election Commission found that there is reason to believe that TECO Energy Inc. Employees' PAC ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Deborah L. Rice, the Paralegal assigned to this matter, at (202) 694-1650.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

cc: Candidate

9 6 0 4 3 9 0 0 6 8 2

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: TECO Energy Inc. Employees' PAC MUR: 4774
and Robin J. Hastings, as treasurer

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

I. THE LAW

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that in a non-election year all political committees other than authorized committees of a candidate shall file a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31 and a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year.

2 U.S.C. § 434(a)(4)(A)(iv).

II. THE FACTS

The TECO Energy Inc. Employees' PAC ("the Committee") is a political committee that is not an authorized committee of a candidate. Robin J. Hastings is the current treasurer of the Committee and Raymond Henagan was the treasurer of the Committee until June 3, 1998.

The Committee failed to timely file the 1997 Mid-Year Report of Receipts and Disbursements covering the period from January 1, 1997 to June 30, 1997. On December 30, 1996 and July 7, 1997, notices were sent to the Committee informing them that the 1997 Mid-Year Report was due on July 31, 1997. A Non-Filer Notice was sent to the Committee via mailgram on August 19, 1997 for failure to file the 1997 Mid-Year Report.

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The Committee filed its 1997 Mid-Year Report on November 3, 1997, 95 days late. This report disclosed \$23,659.00 in receipts and \$18,398.00 in disbursements.

Therefore, there is reason to believe TECO Energy Inc. Employees' PAC and Robin J. Hastings, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iv).

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 4774
TECO Energy Inc. Employees' PAC)
and Robin J. Hastings, as Treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Robin J. Hastings, treasurer of TECO Energy Inc. Employees' PAC.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with TECO Energy Inc. Employees' PAC and Robin J. Hastings, as Treasurer.
2. Close the file.

3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

9/16/98
Date

BY: Lois G. Lerner by AAS
Lois G. Lerner
Associate General Counsel

Attachment:
Conciliation Agreement

Staff Assigned: Kamau Philbert
Deborah L. Rice

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/LISA R. DAVIS
COMMISSION SECRETARY

DATE: SEPTEMBER 22, 1998

SUBJECT: MUR 4774 - General Counsel's Report dated September 16, 1998.

The above-captioned document was circulated to the Commission
on Wednesday, September 16, 1998

Objection(s) have been received from the Commissioner(s) as
indicated by the name(s) checked below:

Commissioner Aikens	—
Commissioner Elliott	—
Commissioner Mason	—
Commissioner McDonald	—
Commissioner Sandstrom	—
Commissioner Thomas	<u>XXX</u>

This matter will be placed on the meeting agenda for

Tuesday, September 29, 1998

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
TECO Energy Inc. Employees' PAC) MUR 4774
and Robin J. Hastings, as Treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 23, 1998, the Commission decided by a vote of 4-0 to take the following actions in MUR 4774:

1. Accept the conciliation agreement with TECO Energy Inc. Employees' PAC and Robin J. Hastings, as Treasurer, as recommended in the General Counsel's Report dated September 16, 1998.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated September 16, 1998.

(continued)

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Federal Election Commission
Certification for MUR 4774
September 23, 1998

Page 2

Commissioners Elliott, Mason, Sandstrom, and Thomas voted affirmatively for the decision; Commissioners Aikens and McDonald did not cast votes.

Attest:

9-23-98
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat:	Wed., Sept. 16, 1998	1:30 p.m.
Circulated to the Commission:	Wed., Sept. 16, 1998	4:00 p.m.
Deadline for vote:	Mon., Sept. 21, 1998	4:00 p.m.
Received Objection:	Tues., Sept. 22, 1998	9:53 a.m.
Placed on Agenda for:	Tues., Sept. 29, 1998	
Objection Withdrawn:	Wed., Sept. 23, 1998	2:58 p.m.
Withdrawn from Agenda		

lrd

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 24, 1998

Robin J. Hastings, Treasurer
TECO Energy Inc. Employees' PAC
702 N. Franklin Street, Plaza 9
Tampa, FL. 33602

RE: MUR 4774
TECO Energy Inc. Employees' PAC

Dear Mr. Hastings:

On September 23, 1998, the Federal Election Commission accepted the signed conciliation agreement submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(iv), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Page 2

TECO Energy Inc. Employees' PAC

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,



Deborah L. Rice
Paralegal Specialist

Enclosure
Conciliation Agreement

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 4 10 08 AM '98

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

TECO Energy Inc. Employees' PAC
and Robin J. Hastings, as Treasurer

)
)
)

MUR 4774

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that TECO Energy Inc. Employees' PAC and Robin J. Hastings, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(iv).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to finding a probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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IV. The pertinent facts in this matter are as follows:

1. TECO Energy Inc. Employees' PAC ("the Committee") is a political committee within the meaning of 2 U.S.C. § 431(4), and is not the authorized committee of any candidate. The Committee elected to file its reports with the Commission on quarterly basis.

2. Robin J. Hastings is the current treasurer of TECO Energy Inc. Employees' PAC.

3. Jack Amor was the treasurer of the Committee until June 3, 1998.

4. The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that in a non-election year all political committees other than authorized committees of a candidate shall file a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31 and a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(iv).

5. The Committee failed to timely file the 1997 Mid-Year Report of Receipts and Disbursements covering the period from January 1, 1997 to June 30, 1998. On December 30, 1996 and July 7, 1997, prior notices were sent to the Committee informing them that the 1997 Mid-Year Report was due on July 31, 1997. A Non-Filer Notice was sent to the Committee via mailgram on August 19, 1997 for failure to file the

1997 Mid-Year Report. The Non-Filer Notice was not received due to the confusion regarding who was treasurer.

6. The Committee filed its 1997 Mid-Year Report on November 3, 1997, 95 days late. This report disclosed \$23,659.00 in receipts and \$18,398.00 in disbursements.

V. The Respondents failed to timely file the 1997 Mid-Year Report in violation of 2 U.S.C. § 434(a)(4)(A)(iv).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Nine Hundred Sixty Dollars (\$960.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:

L. G. Lerner
Lois G. Lerner
Associate General Counsel

Date

9/24/1998

FOR THE RESPONDENTS:

Rob J. Hastings
Robin J. Hastings
Treasurer

TECO Energy Inc. Employees' PAC

Date

9/3/98



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4774

DATE FILMED 10/8/98 CAMERA NO. 2

CAMERAMAN EEJ

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 10/30/98

☒ Microfilm

☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 4774

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IF IMAGE SAFE logo in light gray tone is not present on back of document - Do not cash.

TECO ENERGY, INC. EMPLOYEES' PAC

702 NORTH FRANKLIN ST.
TAMPA, FL 33602

1664

53-27/631
10

October 27, 1988

PAY
TO THE
ORDER OF

Federal Election Commission

\$ 960.00

Nine Hundred Sixty and 00/100

DOLLARS

NationsBank

NationsBank of Florida, N.A.

Rob J. Han

FOR MUR 4774

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Oct 29 4 00 PM '98

October 28, 1998

TWO WAY MEMORANDUM

TO: OGC Docket
FROM: Rosa E. Swinton
Accounting Technician
SUBJECT: Account Determination for Funds Received

We recently received a check from **Teco Energy Inc Employees PAC**, check number **1664**, dated **October 27, 1998**, for the amount of **960.00**. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

=====

TO: Rosa E. Swinton
Accounting Technician
FROM: OGC Docket
SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 960.00, the MUR/Case number is 4774 and in the name of Teco Energy Inc Employees Pac. Place this deposit in the account indicated below:

- ☐ Budget Clearing Account (OGC), 95F3875.16
☒ Civil Penalties Account, 95-1099.160
☐ Other: _____

Kim C. Stevens
Signature

10-30-98
Date