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January 15, 2002

Ms. Blanca Bayo  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

VIA FIRST CLASS MAIL

Re: Proposed Settlement of Docket No. 011503-TX

Dear Ms. Bayo:

Our client, Ocius Communications, Inc. (hereafter "Ocius"), by this letter offers an explanation for its failure to complete the Florida Public Service Commission (hereafter "Commission") survey as required by Section 364.183(1) of the Commission's rules. We hereby offer, on behalf of our client, an explanation for this oversight and propose a settlement of the resultant dispute pending in Commission Docket No. 011503-TX in order to avoid the cancellation of Ocius' certificate and restore our client's good standing with the Commission.

As has been communicated to the Commission by Ted Mahoney of Ocius, the oversight that led to the Commission survey not being returned was due to several factors emanating from the severe downturn in the market our client operates in. This economic downturn caused cash flow shortages at Ocius, leading to the turnover of personnel that were directly involved with maintaining corporate information and staying current with regulatory obligations. Unfortunately, this scenario caused the survey at issue in this docket to be inadvertently ignored.

By no means was Ocius' oversight due to any predisposition towards non-compliance with this Commission regulatory requirement. On the contrary, Ocius desires to restore, and ultimately maintain, good standing with the Commission. New business prospects and investments strengthen our client's ability to stay current with all regulatory and financial commitments imposed by the Commission. Therefore, our client

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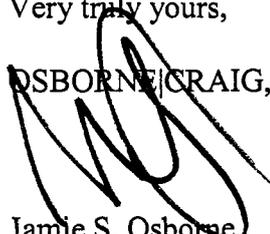
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seeks final resolution of this docket and looks forward to promptly meeting all Commission obligations in the future.

Pursuant to previous telephone correspondence between Mr. Mahoney and Commission staff, Ocius hereby formally proposes a monetary settlement of this docket, and all fines resulting from its failure to return said survey, in the amount of Three Thousand Five Hundred dollars (\$3,500.00). Ocius agrees to waive any objection to the administrative cancellation of its certificate should it fail to pay in accordance with this settlement offer.

If you have any questions or concerns pertaining to this proposed resolution of Docket No. 011503-TX, please contact the undersigned. We look forward to working with you in resolving this matter.

Very truly yours,

  
OSBORNE | CRAIG, P.L.C.

Jamie S. Osborne  
Counsel for Ocius Communications, Inc.