

State of Florida

Commissioners:
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Division of Appeals
David E. Smith, Director
(904) 488-7464

Public Service Commission

November 28, 1990

ORIGINAL
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Mr. Carroll Webb
Joint Administrative Procedures
Committee
120 Holland Building
Tallahassee, Florida 32399

Re: DOCKET NO. 900644-TP, RULE 25-4.0161, F.A.C.

Dear Mr. Webb:

The Commission has approved the amendment of Rule 25-4.0161, F.A.C., without substantive change. The technical changes suggested by Ms. Krouskroup have been made.

The rule has an impact on small business and the Small and Minority Business Advocate, the Division of Economic Development and the Minority Business Enterprise Assistance Office have not offered alternatives regarding the impact of the rule on small business.

Sincerely,

Christiana T. Moore
CHRISTIANA T. MOORE
Associate General Counsel

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AFA _____
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EAG _____ cc: Steve Tribble, Director,
Div. Records & Reporting
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PSC-RECORDS/REPORTING

1 25-4.0161 Regulatory Assessment Fees; Telecommunications
2 Companies.

3 (1) As applicable and as provided in s. 350.113, F.S. s.
4 364.336, F.S., and s. 364.337(4), F.S., each company shall remit a
5 fee based upon its gross operating revenue as provided below. This
6 fee shall be referred to as a regulatory assessment fee, and each
7 company shall pay a regulatory assessment fee in the amount of .15
8 of one percent of its gross operating revenues derived from
9 intrastate business. For the purpose of determining this fee, each
10 interexchange telecommunications company and each pay telephone
11 company shall deduct from gross operating revenues amounts paid for
12 use of the local network to a telecommunications company providing
13 local service. Regardless of the gross operating revenue of a
14 company, a minimum annual regulatory assessment fee of \$50 shall be
15 imposed.

16 (2) Regulatory assessment fees and the applicable regulatory
17 assessment fee return form are due each January 30 for the
18 preceding period or any part of the period from July 1 until
19 December 31, and on July 30 for the preceding period or any part of
20 the period from January 1 until June 30. Commission Form PSC/CMU
21 25(_/_), entitled "Communication Company Regulatory Assessment Fee
22 Return," applicable to local exchange telecommunications companies;
23 Form PSC/CMU 26(_/_), entitled "Pay Telephone Service Provider
24 Regulatory Assessment Fee Return;" Form PSC/CMU 34(_/_), entitled
25 "Shared Tenant Service Provider Regulatory Assessment Fee Return;"

CODING: Words underlined are additions; words in
~~struck-through~~ type are deletions from existing law.

1 and Form PSC/CMU 153(_/_), entitled "Interexchange Company
2 Regulatory Assessment Fee Return," are incorporated into this rule
3 by reference and may be obtained from the Commission's Division of
4 Administration. Each company shall have up to and including the
5 due date in which to submit the applicable form and:

6 (a) Remit the total amount of its fee, or

7 (b) Remit an amount which the company estimates is its full
8 fee, or

9 (c) Seek and receive from the Commission a 30-day extension of
10 its due date.

11 (3) Where the company remits less than its full fee pursuant
12 to subsection (2)(b) of this rule, the remainder of the full fee
13 shall be due on or before the 30th day from the due date and shall,
14 where the amount remitted was less than 90 percent of the total
15 regulatory assessment fee, include interest as provided by
16 subsection (5)(b) of this rule.

17 (4) Where a company receives a 30-day extension of its due date
18 pursuant to subsection (2)(c) of this rule, then the company shall
19 remit a charge in addition to the regulatory assessment fees, as
20 set out in s. 350.113(5), F.S.

21 (5) The delinquency of any amount due to the Commission from
22 the company pursuant to the provisions of s. 350.113, F.S., and
23 this rule, begins with the first day after any date established as
24 the due date either by operation of this rule or by an extension
25 pursuant to this rule.

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1 (a) A penalty, as set out in s. 350.113, F.S., shall apply to
2 any such delinquent amounts.

3 (b) Interest at the rate of 12 percent per annum shall apply
4 to any such delinquent amounts.

5 Specific Authority: 350.127(2), F.S.

6 Law Implemented: 350.113, 364.336, 364.337(4), F.S.

7 History: New 5/18/83, formerly 25-4.161, Amended 10/16/86, 1/1/91.
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