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State of Florida



Public Service Commission

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RECEIVED-FPSC
99 JUN 17 AM 10:14
RECORDS AND REPORTING

DATE: JUNE 17, 1999

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF TELECOMMUNICATIONS (ISLER) *Dji*
DIVISION OF LEGAL SERVICES (K. PEÑA) *VMP CB*

RE: DOCKET NO. 981946-TS - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF STS CERTIFICATE NO. 4470 ISSUED TO COLLEGIATE VILLAGE INN, INC., FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

AGENDA: 06/29/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\981946.RCM

CASE BACKGROUND

- 07/23/96 - Collegiate Village Inn, Inc. obtained STS Certificate No. 4470.
- 12/11/97 - The Division of Administration sent the 1997 regulatory assessment fee (RAF) notice by certified mail. The USPS returned the receipt, which showed the RAF notice was signed for and delivered on December 13, 1997.
- 12/02/98 - The Division of Administration notified staff by memorandum that this company did not pay its 1997 RAFs, plus statutory penalty and interest charges for the year 1997.
- 02/01/99 - The company paid the 1998 RAFs in full.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

- **04/06/99** - Order No. PSC-99-0677-FOF-TS was issued, which imposed a \$500 fine for the RAFs violation. The company had until April 27, 1999 to protest the Order and until May 4, 1999 to pay the past due RAFs and \$500 fine.
- **04/08/99** - The company's president, Mr. George Pegram called staff and advised that he does not provide shared tenant services. He stated he would pay the past due amount and request voluntary cancellation.
- **04/09/99** - The company paid the 1997 RAFs in full, including statutory penalty and interest charges, and requested voluntary cancellation of his certificate.

Staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant Collegiate Village Inn, Inc., a voluntary cancellation of its certificate?

RECOMMENDATION: Yes, the Commission should grant the company a voluntary cancellation of the certificate with an effective date of December 31, 1998. (Isler)

STAFF ANALYSIS: Order No. PSC-99-0677-FOF-TS was issued on April 6, 1999, which imposed a \$500 fine, required payment of the fine and past due regulatory assessment fees, or canceled the certificate. The company's president called staff on April 8 and advised that his company did not provide shared tenant services and would request voluntary cancellation after paying the past due amount. On April 9, 1999, the company paid the past due amount in full for 1997 RAFs, including statutory penalty and interest charges, and requested voluntary cancellation of the certificate.

Accordingly, staff believes the Commission should grant the company a voluntary cancellation of its certificate with an effective date of December 31, 1998.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (K. Peña)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, no other issues remain unresolved and this docket should be closed.