

ORIGINAL

Settlement

02/27/01 10:19 FAX 214 954 6888

FPSC To: J. Mark Chevallier

MCGUIRE, CRADDOCK...  
From: Records Fax Server

2-26-01 10:56am 002 p. 2 of 5

P. Zsler  
ROR

T 2458

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 4407 issued to Preferred Carrier Services, Inc. d/b/a Telefonos Para Todos and d/b/a Phones For ALL for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 001251-TI  
ORDER NO. PSC-01-0457-AS-TI  
ISSUED: February 26, 2001

DEPOSIT DATE  
D088 MAR 06 2001

The following Commissioners participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI

DOCUMENT NO. DATE  
02980-01 03/02/01  
FPSC - COMMISSION CLERK

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Preferred Carrier Services, Inc. d/b/a Telefonos Para Todos d/b/a Phones for ALL (PCS) obtained Certificate No. 4407 on March 22, 1996, to provide Interexchange Telecommunications (IXC) service.

02980-01

API  
CAF  
CMP  
COM  
CTR  
ECR  
LEG  
OPC  
PAI  
RGO  
SEC  
SER  
OTH

PHONES FOR ALL, INC.  
DEBTOR-IN-POSSESSION, #99-38080  
OPERATING ACCOUNT  
14681 MIDWAY ROAD, SUITE 105  
ADDISON, TX 75001

BANK OF AMERICA, N.A.  
CUSTOMER CONNECTION

32-1/1110 TX  
0

2608

02/28/01

PAY TO THE ORDER OF

TWO HUNDRED DOLLARS AND NO CENTS

\*\*\*\*\*200.00\*

\$

DOLLARS

Florida Public Serv. Comm.  
2540 Shumard Oak Blvd.

Tallahassee

119.07(1)(z), Florida Statutes: Bank account numbers or debit, charge, or credit card numbers given to an agency for the purpose of payment of any fee or debt owing are confidential and exempt from subsection (1) and s.24(a), Art. 1 of the State Constitution.

ES REQUIRED OVER \$10,000.00

Resall

MEMO

Settlement

02/27/01 10:19 FAX 214 954 6968  
FPC To: J. Mark Chevallier

McGUIRE, CRADDOCK...  
From: Records Fax Server

002  
2-26-01 10:56am p. 2 of 5

P. Isler  
✓ ROR

TI458

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 4407 issued to Preferred Carrier Services, Inc. d/b/a Telefonos Para Todos and d/b/a Phones For ALL for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 001251-TI  
ORDER NO. PSC-01-0457-AS-TI  
ISSUED: February 26, 2001

CLASSIFIED DATE  
D O C U M E N T S [MAR 03 2001]

The following Commissioners participated in the disposition of this matter:

- E. LEON JACOBS, JR., Chairman
- J. TERRY DEASON
- LILA A. JABER
- BRAULIO L. BAEZ
- MICHAEL A. PALECKI

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Preferred Carrier Services, Inc. d/b/a Telefonos Para Todos d/b/a Phones for ALL (PCS) obtained Certificate No. 4407 on March 22, 1996, to provide Interexchange Telecommunications (IXC) service. PCS had not paid the 1999 Regulatory Assessment Fees (RAFs). Also, accrued statutory penalties and interest charges for late RAFs payments for the year 1999 had not been paid. RAFs are required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. All entities that apply for certification receive a copy of our rules governing Interexchange Telecommunications (IXC) service.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was

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active during any portion of the calendar year. The RAFs form was mailed to PCS for the period of January 1 through December 31. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. PCS was scheduled to remit its RAFs by January 31, 2000. As of August 29, 2000, PCS had not paid the required fees.

After this docket was opened, on September 20, 2000, Mr. Alex Valencia, representative of PCS, called our staff and advised that the past due amount would be paid, and PCS would propose a settlement offer. On September 29, 2000, we received the 1999 RAFs, including accrued statutory penalties and interest charges, and a settlement proposal. PCS offered to contribute \$200 to the State General Revenue Fund, and proposed to pay future RAFs on a timely basis.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. PCS must comply with these requirements within ten business days from the date this Order becomes final. The contribution should be identified with the docket number and the company name. Upon timely receipt, the contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the \$200 contribution or cancellation of the certificate, this docket shall be closed. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336 and 364.285, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Preferred Carrier Services, Inc. d/b/a Telefonos Para Todos d/b/a Phones for ALL's settlement proposal set forth in the body of this Order is hereby approved. It is further

ORDERED that this docket shall remain open pending receipt of the \$200 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

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ORDERED that if Preferred Carrier Services, Inc. d/b/a Telefonos Para Todos d/b/a Phones for ALL fails to comply with this Order, its certificate will be canceled administratively. It is further

ORDERED that upon receipt of the \$200 contribution or cancellation of the certificate this docket shall be closed.

By ORDER of the Florida Public Service Commission this 26th day of February, 2001.

/s/ Blanca S. Bayó  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-850-413-6770.

( S E A L )

JAE

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida

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Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.