

Alternative Access Vendor Regulatory Assessment Fee Return

ORIGINAL

STATUS:

ATR Normye

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:
01/01/2000 TO 12/31/2000

Florida Public Service Commission

(See Filing Instructions on Back of Form)

TA053
FPL Fibernet, LLC
P. O. Box 025566
Miami, FL 33102-5566
DEPOSIT DATE
D060 APR 24 2001

FOR PSC USE ONLY
Check# 0014710
\$ 60,954.00 0603005
\$ 9,143.00 003001
\$ 1,829.00 0603005
Postmark Date 4/23/01 *Walk IN*
Initials of Preparer MC

Please Complete Below If Official Mailing Address Has Changed

FPL FIBERNET, LLC ATTN: CONTROLLER PO BOX 025566 MIAMI, FL 33102-5566
(Name of Company) (Address) (City/State) (Zip)

LINE NO.	WIDE AREA TOLL SERVICE	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Special Access Services	\$ _____	\$ _____
2.	Private Line Services	_____	_____
3.	Leased Facilities & Circuits Services	40,635,859	40,635,859
4.	Miscellaneous Services	_____	_____
5.	TOTAL REVENUES	_____	\$ 40,635,859
6.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	_____	---
7.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 5 less Line 6)	_____	40,635,859
8.	Regulatory Assessment Fee Due (Multiply Line 7 by 0.0015)	_____	60,954
9.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	9,143
10.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	1,829
11.	TOTAL AMOUNT DUE	_____	\$ 71,926

* These amounts must be intrastate only and must be verifiable.

AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50

COMPANY INFORMATION

Do you lease telecommunications' facilities? (X) YES () NO
If YES, who do you lease these facilities from? Name: VARIOUS

Address: _____

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

[Signature]

(Signature of Company Official)
S.L. STAMM

(Preparer of Form - Please Print Name)

CONTROLLER

(Title)
Telephone Number (305) 552-3810 Fax Number (305) 229-5959
F.E.I. No. 65-0176766

- APP _____
- CAR _____
- CMR _____
- CON _____
- CTR _____
- DCR _____
- LRG 1
- OPD _____
- PAI _____
- RCO _____
- SEC 1
- SER _____
- OTH _____

DOCUMENT NO.
05095-01
4.24-01



April 20, 2001

Via Hand Delivery

Ms. Blanca S. Bayo', Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECORDS AND REPORTING
01 APR 23 PM 3:20
FPSC

Re: Docket No. 010416-TA

Dear Ms. Bayo:

I am in receipt of a letter from Ms. Paula Isler, Bureau of Service Evaluation & Compliance, dated April 16, 2001. In the attached letter, Ms. Isler requested that we direct our response to you. Therefore, in furtherance of FPL FiberNet, LLC's ("FPL FiberNet") proposal to settle the above-referenced matter, please find enclosed a check in the amount of \$71,926.00 representing the total past due regulatory assessment fee for FPL FiberNet for the year ended December 31, 2000. FPL FiberNet's failure to submit this fee within the time prescribed was inadvertent and steps have been taken to prevent such an oversight in the future. Specifically, FPL FiberNet has placed the regulatory assessment fee on its accounting closing calendar for the month of January. Further, we would request that the Florida Public Service Commission ("FPSC") make a change to the mailing address of FPL FiberNet. Future notices should be sent to:

FPL FiberNet, LLC
P.O. Box 025566
Miami, FL 33102-9100
Attention: Controller

We believe that these steps will ensure that future fees are remitted timely. In addition to paying the past due regulatory assessment fee and implementing the foregoing measures, FPL FiberNet is willing to make payment to the FPSC of \$500.00 in order to settle, in full, all claims and issues connected with Docket No. 010416-TA.

Again, please accept our apology for this oversight. Should you have any questions regarding this matter, please don't hesitate to contact me at 305/552.3810.

Sincerely,

- PP _____
- AF _____
- MP _____
- COM _____
- JTR _____
- CR _____
- EG _____
- JPC _____
- AI _____
- RGO _____
- SEC _____
- SER _____
- DTH _____

Sol Stamm
SS/acc
Enclosure
cc: Paula Isler

RECEIVED & FILED

M...
FPSC BUREAU OF RECORDS

Docs/Fibernet/FPSC/Bayo

an FPL Group company

DOCUMENT NUMBER-DATE

05095 APR 24 01

FPSC-RECORDS/REPORTING

STATE OF FLORIDA

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



DIVISION OF COMPETITIVE SERVICES
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

April 16, 2001

Via Facsimile

Mr. Sol Stamm, Controller
FPL FiberNet, LLC
PO Box 025566
Miami, FL 33102-5566

Re: Docket No. 010416-TA

Dear Mr. Stamm:

This is a follow up to our telephone conversation concerning the above docket. The regulatory assessment fee (RAF) is due each year by January 30 for the previous year, unless the 30th falls on a weekend, then the due date is the next working day. For example, the 2000 fee was due January 31, 2000.

Commission records show that as of this date, the 2000 RAF has not been paid. Please complete the RAF return and return it along with your check for the past due amount in full. The RAF is .0015% of your total Florida gross revenues, or \$50.00, whichever is greater.

Since the Commissioners have not yet voted on this docket, you have three options.

- (1) Cancel the certificate voluntarily - Pay all past due charges in full, pay the current year's RAF or provide a date certain that it will be paid (such as 30 days from the date of the Commission Order cancelling your certificate), and write a letter requesting cancellation. A copy of our rule is attached.
- (2) Do nothing - In this case, your certificate will be cancelled on the Commission's own motion. All outstanding RAFs, including penalty and interest charges, will be turned over to the Comptroller's Office for collection.
- (3) Propose a settlement - There is normally a \$500 fine imposed for this rule violation. It should be noted that just paying the past due amount will not prevent your certificate from being cancelled. You need to write the Commission a settlement letter that must include the following elements:

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An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

Mr. Sol Stamm, Controller

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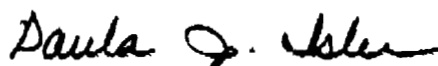
April 16, 2001

- Docket number;
- A check for the past due amount in full;
- A statement that it has taken steps to prevent future late payments of the regulatory assessment fees and what those steps are;
- A waiver of objection to the administrative cancellation of your certificate in the event your offer is accepted and you fail to comply with the terms which you have offered. All other elements of your previous settlement offers are reaffirmed; and
- Make a specific monetary settlement.

Any settlement offer should be addressed to Ms. Blanca Bayó, Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. The proposed settlement amount should **not** be paid at this time, instead only the past due regulatory assessment fee, plus penalty and interest charges should be paid. The settlement amount, if approved by the Commission, must be paid within 10 business days after the Commission Order is issued.

Please let me know what your decision is by May 1, 2001. If you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, and by internet e-mail at pisler@psc.state.fl.us.

Sincerely,



Paula J. Isler, Research Assistant
Bureau of Service Evaluation & Compliance

Enclosure

cc: Docket No. 010416-TA
Division of Legal Services (Elliott)

25-24.735 Cancellation of a Certificate.

(1) The Commission may cancel an AAV service provider's certificate for any of the following reasons:

- (a) violation of the terms and conditions under which the authority was originally granted;
- (b) violation of Commission rules or orders;
- (c) violation of Florida statutes; or
- (d) failure to provide service for a period of 6 months.

(2) If a certificated AAV service provider seeks to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following information with its request:

- (a) the date the final Regulatory Assessment Fee was paid;
- (b) a statement of the reasons for cancellation;
- (c) a statement on the treatment of customer deposits and final bills; and
- (d) a representative copy of a customer notice regarding discontinuance of service.

Specific Authority 350.127(2) FS.

Law Implemented 350 113, 350.127(1), 364 285, 364 337, 364.345 FS.

History--New 1-8-95.