

ORIGINAL

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date August 24, 2001

Docket No. 01154-TC

- 1. Division Name/Staff Name Competitive Services/Isler
- 2. OPR Competitive Services/Isler
- 3. OCR Legal Services

4. Suggested Docket Title Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4998 Issued to James A. Rusch d/b/a Lightning Telecom for Violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Check one:

- Documentation is attached.
- Documentation will be provided with recommendation.

I:\PSC\RAR\WP\ESTDKT.

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

10538 AUG 24 01

FPSC-COMMISSION CLERK

Paula Isler

From: Paula Isler
Sent: Monday, April 30, 2001 10:21 AM
To: 'J R'
Subject: RE: Your March 25 letter

Good morning, Mr. Rusch: The total amount due is \$53.00. When you write, please state that you are paying the \$3.00 past due amount for the 2000 RAF and \$50.00 for the 2001 RAF. Thanks! Paula Isler

-----Original Message-----

From: J R [mailto:roosh31@yahoo.com]
Sent: Monday, April 30, 2001 10:09 AM
To: Paula Isler
Subject: Re: Your March 25 letter

Dear Ms. Isler,

I would like to clear up this cancellation as of May 15, 2001. Can you tell me the total amount due from Lightning Telecom and I will put together my intent letter. Thanks,

Jim Rusch

--- Paula Isler <Pisler@PSC.STATE.FL.US> wrote:
> Dear Mr. Rusch:
>
> The Commission has received your letter requesting
> voluntary cancellation of
> your pay telephone certificate. Commission records
> show that the 2000 RAF
> payment was postmarked January 31 (due by January
> 30). This means that
> since it was mailed after the due date, penalty
> (\$2.50) and interest (\$0.50)
> charges totaling \$3.00 are applicable. In addition,
> since we did not
> receive your request for cancellation until March
> 29, 2001, Lightning
> Telecom is also responsible for the 2001 RAF of
> \$50.00. Our rule dealing
> with cancellation provides that the company must
> either go ahead and pay the
> current year's RAF or provide a date certain it will
> pay the fee. Before I
> can recommend a voluntary cancellation, the past due
> charge of \$3 must be
> paid and you must provide the Commission with your
> intent about the 2001
> RAF. Let me know what you decide. Thanks, Paula
Isler.

Do You Yahoo!?

Yahoo! Auctions - buy the things you want at great prices
<http://auctions.yahoo.com/>

Paula Isler

From: Paula Isler
Sent: Monday, April 02, 2001 3:22 PM
To: 'roosh31@yahoo.com'
Subject: Your March 25 letter

Dear Mr. Rusch:

The Commission has received your letter requesting voluntary cancellation of your pay telephone certificate. Commission records show that the 2000 RAF payment was postmarked January 31 (due by January 30). This means that since it was mailed after the due date, penalty (\$2.50) and interest (\$0.50) charges totaling \$3.00 are applicable. In addition, since we did not receive your request for cancellation until March 29, 2001, Lightning Telecom is also responsible for the 2001 RAF of \$50.00. Our rule dealing with cancellation provides that the company must either go ahead and pay the current year's RAF or provide a date certain it will pay the fee. Before I can recommend a voluntary cancellation, the past due charge of \$3 must be paid and you must provide the Commission with your intent about the 2001 RAF. Let me know what you decide. Thanks, Paula Isler.

LIGHTNING TELECOM (TF896)

Industry: Telecommunications, Service provided: PAT
 Company type: Pay Telephone Companies
 Regulation date: 12/25/1996, Inactive date:
 Certificate number: 4998, County:
 Company liaison: James A. Rusch, President
 Mailing address: 1724 La Forest Avenue
 Safety Harbor, FL 34695-2059
 E-mail address: rooah31@yahoo.com

Web site:

Phone number: (727) 725-0534

Fax number: (813) 878-E106

Period covered: 01/01/2000 through 12/31/2000

Operating revenue: \$67.00

Documents: Actual RAF form received on 01/31/2001

RAF form mailed on 12/05/2000

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
01/31/2001	02/07/2001	02/07/2001-JIK	GH019	5369	\$50.00
	RAF paid		GH019		\$50.00

Period covered: 01/01/1999 through 12/31/1999

Operating revenue: \$15.00

Documents: Actual RAF form received on 01/28/2000

RAF form mailed on 12/03/1999

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
01/28/2000	02/21/2000	02/21/2000-JIK	FH234	1044	\$50.00
	RAF paid		FH234		\$50.00

Period covered: 01/01/1998 through 12/31/1998

Operating revenue: \$1,724.00

Documents: Actual RAF form received on 01/27/1999

RAF form mailed on 11/19/1998

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
01/27/1999	02/15/1999	02/15/1999-JIK	EH075	923	\$50.00
	RAF paid		EH075		\$50.00

Period covered: 01/01/1997 through 12/31/1997

Operating revenue: \$1,748.00

Documents: Actual RAF form received on 01/27/1998

RAF form mailed on 11/24/1997 (Certified id #: P173 997 635)

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
01/27/1998	02/05/1998	02/09/1998-JBW	DG698	0748	\$50.00

LIGHTNING TELECOM (TF896) (continued)

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
	RAF paid		DG698		\$50.00

COMPANY CODE	COMPANY NAME	REG DATE	INACTIVE DATE	RAF PERIOD ENDING	RAF NO FORM	REVENUE REPORT	REGULATORY ASSESSMENT FEE	RAF PAYMENT & COLL FEE PAYMENT AMOUNT	RAF PAYMENT DISCREP	COLL AGENCY FEE	RAF (NO EXTENSION) RECEIVED	POST MARK DATE	DEPOSIT NUMBER	PENALTY DUE	INTEREST DUE	INTEREST PAID	DELINQUENT LETTER MAILED
TF886	Lightning Telecom	125-Dec-96		12-31-96		\$1,724.00	\$50.00	\$50.00	\$0.00	\$50.00	01/27/99	EH075	5/30 DAYS	1/250 DAYS			

COMPANY CODE	COMPANY NAME	REG DATE	INACTIVE DATE	RAF PERIOD ENDING	RAF NO FORM	REVENUE REPORT	REGULATORY ASSESSMENT FEE	RAF PAYMENT & COLL FEE PAYMENT AMOUNT	RAF PAYMENT DISCREP	COLL AGENCY FEE	RAF (NO EXTENSION) RECEIVED	POST MARK DATE	DEPOSIT NUMBER	PENALTY DUE	INTEREST DUE	INTEREST PAID	DELINQUENT LETTER MAILED
TF886	Lightning Telecom	125-Dec-96		12-31-96		\$1,724.00	\$50.00	\$50.00	\$0.00	\$50.00	01/27/99	EH075	5/30 DAYS	1/250 DAYS			

COMPANY CODE	COMPANY NAME	REG DATE	INACTIVE DATE	RAF PERIOD ENDING	RAF NO FORM	REVENUE REPORT	REGULATORY ASSESSMENT FEE	RAF PAYMENT & COLL FEE PAYMENT AMOUNT	RAF PAYMENT DISCREP	COLL AGENCY FEE	RAF (NO EXTENSION) RECEIVED	POST MARK DATE	DEPOSIT NUMBER	PENALTY DUE	INTEREST DUE	INTEREST PAID	DELINQUENT LETTER MAILED
TF886	Lightning Telecom	125-Dec-96		12-31-97		\$1,764.00	\$50.00	\$50.00	\$0.00	\$50.00	01/27/98	DG688	5/30 DAYS	1/250 DAYS			

COMPANY CODE	COMPANY NAME	REG DATE	INACTIVE DATE	RAF PERIOD ENDING	RAF NO FORM	REVENUE REPORT	REGULATORY ASSESSMENT FEE	RAF PAYMENT & COLL FEE PAYMENT AMOUNT	RAF PAYMENT DISCREP	COLL AGENCY FEE	RAF (NO EXTENSION) RECEIVED	POST MARK DATE	DEPOSIT NUMBER	PENALTY DUE	INTEREST DUE	INTEREST PAID	DELINQUENT LETTER MAILED
TF886	Lightning Telecom	125-Dec-96		12-31-96		\$0.00	\$0.00	\$50.00	\$50.00	\$50.00	04-17-97	CJ812	5/30 DAYS	1/250 DAYS			

COMPANY CODE	COMPANY NAME	REG DATE	INACTIVE DATE	RAF PERIOD ENDING	RAF NO FORM	REVENUE REPORT	REGULATORY ASSESSMENT FEE	RAF PAYMENT & COLL FEE PAYMENT AMOUNT	RAF PAYMENT DISCREP	COLL AGENCY FEE	RAF (NO EXTENSION) RECEIVED	POST MARK DATE	DEPOSIT NUMBER	PENALTY DUE	INTEREST DUE	INTEREST PAID	DELINQUENT LETTER MAILED
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TF886	Lightning Telecom	125-Dec-96		12-31-96		\$0.00	\$0.00	\$50.00	\$50.00	\$50.00	04-17-97	CJ812	5/30 DAYS	1/250 DAYS			

COMPANY CODE	COMPANY NAME	REG DATE	INACTIVE DATE	RAF PERIOD ENDING	RAF NO FORM	REVENUE REPORT	REGULATORY ASSESSMENT FEE	RAF PAYMENT & COLL FEE PAYMENT AMOUNT	RAF PAYMENT DISCREP	COLL AGENCY FEE	RAF (NO EXTENSION) RECEIVED	POST MARK DATE	DEPOSIT NUMBER	PENALTY DUE	INTEREST DUE	INTEREST PAID	DELINQUENT LETTER MAILED
TF886	Lightning Telecom	125-Dec-96		12-31-96		\$0.00	\$0.00	\$50.00	\$50.00	\$50.00	04-17-97	CJ812	5/30 DAYS	1/250 DAYS			

Paula Isler

From: Linda Williams
Sent: Monday, April 02, 2001 9:13 AM
To: Paula Isler
Subject: RE: Lightning Telecom

Ok, it has not been scanned yet since I just document no'd it, so I'll send you a copy right now. Thanks Paula.

-----Original Message-----

From: Paula Isler
Sent: Monday, April 02, 2001 9:10 AM
To: Linda Williams
Subject: RE: Lightning Telecom

No, they are not paid in full. Send to me or provide me the document number and I'll attempt collection. Thanks.

-----Original Message-----

From: Linda Williams
Sent: Thursday, March 29, 2001 10:45 AM
To: Paula Isler
Subject: Lightning Telecom

Hi Paula. Nonnye just gave me a letter from the above company requesting cancellation of Cert 4998. Are they paid in full?

By the way, did you print a copy of the last document you asked me for or do you want me to go ahead and put you a copy in the mail?

CMP/Kelen

LIGHTNING Telecom

1724 LaForest Ave. Safety Harbor, FL 34695 (727) 725-0534

March 25, 2001

ORIGINAL

RECEIVED FPSC
01 MAR 29 AM 10:20
RECORDS AND REPORTING

Florida Public Service Commission
Capital Circle Office Center
Division of Records and Reporting
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Re: Cancellation of PSC License #4998

Please be advised Lightning Telecom has closed operations as a public payphone provider in the State of Florida as of December 31, 2000. Lightning Telecom hereby notifies the PSC to cancel its license as of this date. The regulatory assessment fee for the year 2000 was paid in January 2001. Enclosed is a copy of our certificate granting our license on December 3, 1996.

Please advise if there are additional procedures required to cancel this license. Thank you in advance for your quick response.

Sincerely,

James A. Rusch

James A. Rusch
President, Lightning Telecom
Company Code: TF896
Certificate No: 4998

2001 APR -2 AM 9:26
DIVISION OF
COMPETITIVE SERVICES

APP 3-29-01
CAF _____
CMP data
COM _____
CTR _____
ROR _____
REG _____
RPC _____
RNI _____
RNO _____
RLO _____
SER _____
OTH _____

data Orig dt to RAR/Williams

DOCUMENT NUMBER-DATE

03999 APR-26

FPSC-RECORDS/REPORTING

01 APR 2001 9:25

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 24, 1996.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water 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 of the effective date 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.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Pay)
Telephone Certificate.)
)
Luna Sea Motel of Cocoa Beach,) DOCKET NO. 961181-TC
Inc.)
C. Wayne Cooper) DOCKET NO. 961185-TC
Conched Out, Inc.) DOCKET NO. 961186-TC
John S. Howe and Deborah Dykes-) DOCKET NO. 961187-TC
Howe)
) DOCKET NO. 961188-TC
Proline Communications)
Corporation)
James A. Rusch d/b/a Lightning) DOCKET NO. 961190-TC
Telecom)
) DOCKET NO. 961199-TC
Erazo Telecomm Inc.) DOCKET NO. 961200-TC
David D. Ambrose, Jr.) DOCKET NO. 961204-TC
Contemporary Jazz Lounge, Inc.) DOCKET NO. 961207-TC
Penn Boys Legend Telecom, Inc.)
)
ORDER NO. PSC-96-1464-FOF-TC
ISSUED: December 3, 1996

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATES TO
PROVIDE PAY TELEPHONE SERVICE

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

DOCUMENT NUMBER-DATE

12839 DEC-3#

FPSC-RECORDS/REPORTING

Updated 3-29-01

Company Code: TF896

Certificate No(s): 4998

Physical Location: 1724 La Forest Avenue Safety Harbor, FL 34695-2059	ENTER CORRECTIONS BELOW: <hr/> <hr/> <hr/>
Mailing Address: 1724 La Forest Avenue Safety Harbor, FL 34695-2059	<hr/> <hr/> <hr/>
Liaison Officer(s): 1. James A. Rusch, President, (727) 791-1155 2. Name, Title, Phone number	(727) 725-0534 ✓
Fax No(s): (813) 878-6106, Fax 2 E-mail address: lightning@earthlink.net → Web address: Federal Employee ID No.:	roosh31@yahoo.com ✓ <hr/> <hr/> <hr/>

IMPORTANT NOTE:

The following section is applicable ***ONLY*** to companies with d/b/a as part of their official company name.

All official correspondence is addressed to the "Mailing Name" of regulated companies. The "**Mailing Name**" is the last d/b/a of the company's official name. Our records reflect the mailing name shown below for your company. If you prefer to receive official correspondence in another mailing name, please make the change in the space provided. The name can be no longer than 58 characters (including spaces) and **MUST** be part of the official company name.

MAILING NAME:

Lightning Telecom

COMPLETED BY: _____ **DATE:** _____