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

Public Service Commission

October 22, 2001

Via Facsimile

Mr. Mike Kisgen
NetLojix Telecom, Inc.
501 Bath Street
Santa Barbara, CA 93101-3403

RE: Docket No. 011052-T1

Dear Mr. Kisgen:

On August 27, 2001, the Commission received the company's payment for the 2000 Regulatory Assessment Fee (RAF), including statutory penalty and interest charges. However, as of this date, the Commission has not received either a settlement proposal to keep the certificate active or a letter requesting cancellation of the company's certificate. Unfortunately, just paying the past due amount will not prevent NetLojix's certificate from being cancelled involuntarily.

Attached is a list of options to resolve this docket. After reviewing the company's options, please let me know by November 6, 2001 how the company wishes to proceed. In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, by internet e-mail at pisler@psc.state.fl.us, or at the above address.

Sincerely,

Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosure

cc: Docket No. 011052-T1
Division of Legal Services (K. Peña)

DOCUMENT NUMBER DATE
13405 OCT 23 01
FPSC-COMMISSION CLERK

OPTIONS

CANCELLATION OF THE CERTIFICATE

- **Voluntary Cancellation** - In order to be granted a voluntary cancellation, the company must: 1) write a letter requesting cancellation of the certificate and explain why (such as no longer in the telecommunications business); 2) pay all past due charges in full; and 3) pay the 2001 Regulatory Assessment Fee (RAF) or provide a date certain that it will be paid (such as 30 days from the date of the Commission Order cancelling the certificate).
- **Involuntary Cancellation** - If the company does nothing to resolve this docket, the 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.

TO KEEP THE CERTIFICATE ACTIVE

- Pay the past due RAF amount in full, including statutory penalty and interest charges, plus the fine imposed, after the Order is issued and the certificate will remain active. Just paying the past due amount will not prevent your certificate from being cancelled.
- **Propose a settlement** - All settlements must include the following elements:
 - 1) Docket number;
 - 2) A check for the past due amount in full. It should be noted that just paying the past due amount will not prevent your certificate from being cancelled;
 - 3) A statement that the company has taken steps to prevent future late payments of the regulatory assessment fees and what those steps are;
 - 4) A waiver of objection, which should state: The company agrees to waive any objection to the administrative cancellation of its certificate should it fail to pay in accordance with its settlement offer. If, however, there is a factual dispute as to the manner or level of compliance with any provision in the settlement, Commission staff will bring the matter to the Commission for consideration; and
 - 5) Make a specific monetary settlement. There is normally a \$500 fine for this rule violation. However, the Commission has accepted amounts less than the fine amount in other similar cases.

Any settlement offer/correspondence should be addressed to Ms. Blanca Bayó, Director, Division of the Commission Clerk & Administrative Services, 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.

TRANSMISSION VERIFICATION REPORT

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