

STATE OF FLORIDA

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

Public Service Commission

October 31, 2001

Via Facsimile (305-945-7354)

Ms. Ines Camacho
Florida Tax Deeds, Inc. d/b/a
Senator Building
13899 Biscayne Blvd., #110
North Miami Beach, FL 33181-1637

RE: Docket No. 011099-TS

Dear Ms. Camacho:

This is a follow up to our telephone conversation and correspondence concerning the above docket. I have reviewed the information you faxed and determined the following.

- 1) The company did not complete the 2000 Regulatory Assessment Fee (RAF) return or send payment for the 2000 RAF marked as such. The 2000 RAF return is attached, which must be completed and returned with payment (RAF, penalty, and interest).
- 2) The company underpaid the 1999 interest for late payment by 50 cents. This must be paid.
- 3) The company paid the \$100 settlement associated with last year's docket, No. 001397-TS, twice. You can request a refund of the second \$100 from the Commission by requesting that a refund form be sent to you.
- 4) The company should propose a settlement to resolve the current pending docket, No. 011099-TS, if it wishes to keep its certificate active. The company's options are attached.

In the prior year's docket, No. 001397-TS, the Commission accepted Senator Building's settlement offer of \$100 by Order No. PSC-01-0199-AS-TS issued on January 22, 2001. The settlement proposal signed by Mr. Efrain Gonzalez, President, stated in part, "To prevent future late payments of the regulatory assessment fees we implement a computer to generate a check every year."

On February 7, 2001, the Commission received the company's check dated February 2nd and

DOCUMENT NUMBER-DATE

13789 OCT 31 01

FPSC-COMMISSION CLERK

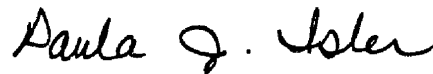
Ms. Ines Camacho
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had typed in the memo section "Docket #001397-TS" and handwritten "Order #PSC-01-0199-AS-TS, Certificate #2024." On February 28th, the Commission received another payment for \$100. This second check was attached to the February 21, 2001 delinquent notice for the 2000 RAF. The second check was dated February 26th and had typed in the memo section "Docket #001397-TS-TS142." Since both checks referenced Docket No. 001397-TS and both checks were for the \$100 settlement amount, our Fiscal Section posted both payments to the settlement.

As information, certificate holders must complete and return the RAF return, along with payment, every year. RAF returns are mailed each mid-December and due by January 30th of the following year. If the 30th falls on a weekend, then the RAF is due by the next working day. The RAF is .0015% of a company's revenues, or \$50.00, whichever is greater. If payment is mailed after the due date, then statutory penalty and interest charges are applicable. The 2000 RAF was due January 30, 2001 and the 2001 RAF will become due January 30, 2002.

Please let me know by November 15, 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

Attachments

cc: Docket No. 011099-TS
Division of Legal Services (K. Peña)

Shared-Tenant Service Provider Regulatory Assessment Fee Return

STATUS:

- 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)

TS142-00-0-R
 Senator Building
 13899 Biscayne Blvd., #110
 North Miami Beach, FL 33181-1637
 Docket No. 011099-TS

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY

Check# _____

\$ _____ 0603003
 _____ 003001

\$ _____ P _____
 _____ 0603003
 _____ 004011

\$ _____ I _____

Postmark Date _____

Initials of Preparer _____

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Intrastate Operating Revenue	\$ _____
2.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	_____
3.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 1 less Line 2)	_____
4.	Regulatory Assessment Fee Due (Multiply Line 3 by 0.0015)	_____
5.	Penalty For Late Payment (see "3. Failure to File by Due Date" on back)	_____
6.	Interest For Late Payment (see "3. Failure to File by Due Date" on back)	_____
7.	TOTAL AMOUNT DUE	\$ _____

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

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

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 of Company Official)

(Title)

(Date)

(Preparer of Form - Please Print Name)

Telephone Number () _____

Fax Number () _____

F.E.I No _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Shared-Tenant Service Provider)

1. **WHEN TO FILE:** For companies which owed a total of \$10,000 or more of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, AND
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of less than \$10,000 of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0015 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 2, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. **Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 5). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 6). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Request for Extension to File Regulatory Assessment Fee Return* form (PSC/ADM-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due:

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your file, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the enclosed envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Services at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

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 \$1,000 fine when this is the second time a docket has been established for the same rule violation, which is the case in this docket. 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

TIME : 10/31/2001 12:16
NAME :
FAX :
TEL :

DATE, TIME	10/31 12:13
FAX NO./NAME	613059457354
DURATION	00:02:50
PAGE(S)	05
RESULT	OK
MODE	STANDARD ECM