# ORIGINAL

### REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Date <u>April 22, 2002</u>	Docket No. Od 0360
. Division Name/Staff NameCompetitive N	Markets & Enforcement/Isler
2. OPR Competitive Markets & Enforcement	/Isler
. OCR Office of General Counsel	
Suggested Docket Title Cancellation by Floria	da Public Service Commission of Pay Telephone Certificate
No. 4674 Issued to B.K. Hartley for Violation of 1	Rule 25-4.0161, F.A.C., Regulatory Assessment Fees;
Telecommunications Companies	
5. Suggested Docket Mailing List (attach se	eparate sheet if necessary)
as shown in Rule 25-22.104, F.A.C.	panies or ACRONYMS ONLY regulated industries, r all others. (Match representatives to clients.)
1. Parties and their representatives	
1. Farties and their representatives	(II dily)
	<del></del>
<ol><li>Interested Persons and their representations</li></ol>	esentatives (if any)
	_
. Check one:  XX Documentation is attached	a.
Documentation will be pro	ovided with recommendation.
:\PSC\RAR\WP\ESTDKT.	
,,	

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

04437 APR 238

#### Printed on 04/22/2002 at 14:00:25 by PJI

Complete Name: B.K. Hartley

Mailing Name: B.K. Hartley

Company Code: TF739

FEID Number:

#### RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001

Reg. Date:

07/24/1996

Inactive Date:

Service:

PAT - Pay Telephone

Received:

No RAF Form

Status:

Pending

Amended:

Extension:

No

No

Comments:

No

Frozen:

No

Payment Count: 0 Payments Made to Date

Operating Rev:

\$0.00

Interstate Rev:

\$0.00

RAF Rate:

Net RAF Due:

\$0.00

Assessment	Due	Paid	Owe
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Thursday, December 6, 2001 at 3:13 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001

RAF rate:

Operating rev:

\$0.00 Gross intrastate rev:

\$0.00

Documents: RAF form mailed on 03/13/2002

Delinquent letter mailed on 02/20/2002

RAF form mailed on 12/06/2001

#### Paula Isler

From:

Martha Coggins

Sent:

Monday, April 22, 2002 11:04 AM

To:

Paula Isler

Subject:

RE: Recent payments

None of the listed company codes have sent in payment for 2001 or 2002.

#### Thanks

----Original Message-----

From: Paula Isler

Sent: Monday, April 22, 2002 9:59 AM

To: Martha Coggins

Subject: Recent payments

Good morning, Martha. Before I open dockets to cancel the following certificates, I need to know if payments have been received recently. The RAF System shows that payments have not been posted, but you had showed me that new program where you could check for payments not yet posted. The company codes are:

TJ548 and TX434 - Arbros Communications (owes 2001 and 2002, each cert.)

TF739 - B.K. Hartley (owes 2001 and 2002)

TG254 - Branch Associates, Inc. (owes 2001 and 2002)

TJ182 and TX271 - Compass Telecommunications (owes 2001 & 2002, each cert.)

TI652 - Interoute-Wholesale (owes 2001 and 2002)

TF653 - Lund Communications (owes 2002)

TJ496 - Metstream Communications (owes 2001 and 2002)

TF895 - Proline Communications (owes 2001 and 2002)

TJ318 - Sprawlnet.com (owes 2001 and 2002)

Thanks.

#### STATE OF FLORIDA

COMMISSIONERS: LILA A. JABER, CHAIRMAN J. TERRY DEASON BRAULIO L. BAEZ MICHAEL A. PALECKI RUDOLPH "RUDY" BRADLEY



DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT WALTER D'HAESELEER DIRECTOR (850) 413-6600

### Hublic Serbice Commission

March 14, 2002

Mr. B. K. Hartley 1886 Seminole Road Atlantic Beach, FL 32233-5916

Dear Mr. Hartley:

The Commission recently received a note from you written on our delinquent notice which stated that you've been out of business for over a year and that you want your certificate cancelled. As information, a certificate remains active until a company requests cancellation in writing or the Commission cancels a certificate on its own motion for a rule violation. I've searched our records, but cannot find record of a previous request for cancellation from you.

Rule 25-4.0161, Florida Administrative Code, provides that if a certificate is active for any one day during a calendar year, the Regulatory Assessment Fee (RAF) is owed for that calendar year. If payment is postmarked after the due date of the RAF, then statutory penalty and interest charges are also applicable. This means that our records show you owe the 2001 and 2002 RAF (both forms enclosed). In addition, our records show that you have a small past due penalty and interest balance that needs to be paid before a voluntary cancellation can be granted (breakdown enclosed). The alternative to a voluntary cancellation is for the Commission to cancel your certificate on its own motion and turn over any unpaid RAFs to collections.

Therefore, based on the above information, I cannot recommend a voluntary cancellation of your certificate unless the past due balance is paid. Please respond in writing by March 31, 2002, and let me know how you wish 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 address below.

Sincerely,

Paula J. Isler, Research Assistant

Paula J. Isler

Bureau of Service Quality

**Enclosures** 

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

#### B.K. Hartley (TF739) Certificate No. 4674, Effective 07/24/96

Year	Fee	Penalty	Interest	Notes
1997	N/A	\$ 2.50	\$0.50	Payment was due 01/30/98. The company's payment for the \$50 minimum RAF was postmarked 02/17/98, leaving a penalty and interest balance of \$3.00.
2000	N/A	\$ 2.50	\$0.50	Payment was due 01/30/01. The company's payment for the \$50 minimum RAF was postmarked 02/28/01, leaving a penalty and interest balance of \$3.00.
2001	\$ 50.00	\$ 5.00	\$1.00	Payment was due 01/30/02 and our records do not show receipt of the payment. If payment is postmarked by 03/31/02, the company will owe \$56.00 for 2001 RAF. The penalty and interest charges continue to accrue until the RAF is paid.  If payment is postmarked between 04/01 and 04/30/02, the penalty increases to \$7.50 and the interest increases to \$1.50, for a total due of \$59.00.
2002	\$ 50.00	N/A	N/A	Rule 25-24.514, F.A.C., provides that when requesting cancellation of a certificate, the company must either pay the current year's RAF or provide a date certain it will be paid.
Total	\$100.00	\$10.00	\$2.00	Total if payment is postmarked by March 31, 2002: \$112.00.  Total if payment is postmarked between April 1 and April 30, 2002: \$115.00.

## to avoid penalty and interest charges, the regulatory assessment fee return must be filed on or before 01/30/2002 Pay Telephone Service Provider Regulatory Assessment Fee Return

STATU	S:		Service Commission	FOR PSC USE ONLY Check#
	_ Actual Return _ Estimated Return _ Amended Return  D COVERED: 2001 TO 12/31/2001	TF739-01-0-R B.K. Hartley 1886 Seminole Road Atlantic Beach, FL 32 CC: P. Isler Please Complete Below If		\$0603002 003001 \$P 0603002 004011 \$1  Postmark Date
	(Name of Company)		(Address)	(City/State) (Zip)
LINE NO.		ACCOUNT CLASSIFIC	CATION	AMOUNT
1.	Gross Operating Rev	enue (Florida)		\$
2.	Gross Intrastate Reve	enue		
3.	LESS: Amounts Paid (see "2. Fees" on back	d to Other Telecommun k)	ications Companies*	()
4.	TOTAL REVENUE (Line 2 less Line 3)	ES for Regulatory Asse	ssment Fee Calculation	\$
5.	Regulatory Assessme	ent Fee Due – (Multiply	Line 4 by 0.0015)	
6.	Penalty for Late Payr	ment (see "3. Failure to I	File by Due Date" on back)	· · · · · · · · · · · · · · · · · · ·
7.	Interest for Late Payr	ment (see "3. Failure to I	File by Due Date" on back)	
8.	TOTAL AMOUNT	DUE		\$
			IDA STATUTES, THE MINIMUM A	
9.	Number of pay teleph by this Return	nones in operation at clo	se of period covered	
These am	nounts must be intrastate only and mus	st be verifiable.		
ue and co	mect statement. I am aware that p	bove-named company, have read the ursuant to Section 837.06, Florida S tial duty shall be guilty of a misdem	Statutes, whoever knowingly makes a false sta	knowledge and belief the above information is a tement in writing with the intent to mislead a
	(Signature of Compan	y Official)	(Title)	(Date)
<del>(I</del>	reparer of Form - Please	Print Name)	Telephone Number ()  F.E.I. No	

## to avoid penalty and interest charges, the regulatory assessment fee return must be filled on or before 01/30/2003 Pay Telephone Service Provider Regulatory Assessment Fee Return

STATU	JS:		Service Commission	FOR PSC USE ONLY Check#
PERIC	_ Actual Return _ Estimated Return _ Amended Return OD COVERED: /2002 TO 12/31/2002	TF739-02-0-R B.K. Hartley 1886 Seminole Road Atlantic Beach, FL 3	2233-5916	\$0603002 003001 \$0603002 004011 \$1 Postmark Date Initials of Preparer
	(Name of Company)	Trease complete below y	(Address)	(City/State) (Zip)
LINE NO.		ACCOUNT CLASSIFI		AMOUNT
1.	Gross Operating Rev	,		\$
<ol> <li>3.</li> </ol>	Gross Intrastate Reve LESS: Amounts Pai (see "2. Fees" on bac	d to Other Telecommur	nications Companies*	
4.	TOTAL REVENUE (Line 2 less Line 3)	ES for Regulatory Asso	essment Fee Calculation	\$
5.	Regulatory Assessme	ent Fee Due – (Multiply	Line 4 by 0.0015)	
6.	Penalty for Late Payr	ment (see "3. Failure to	File by Due Date" on back)	
7.	Interest for Late Payr	ment (see "3. Failure to	File by Due Date" on back)	
8.	TOTAL AMOUNT	DUE		\$
			RIDA STATUTES, THE MINIMUM A	
9.	Number of pay teleph by this Return	nones in operation at clo	ose of period covered	
These ar	nounts must be intrastate only and mus	st be verifiable.		
ue and co	undersigned owner/officer of the all orrect statement. I am aware that performance of his officer.	ursuant to Section 837.06, Florida	Statutes, whoever knowingly makes a false sta	knowledge and belief the above information is a tement in writing with the intent to mislead a
	(Signature of Compan	y Official)	(Title)	(Date)
	Preparer of Form - Please	Print Name)	Telephone Number ()  F.E.I. No	

#### STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY



OFFICE OF GENERAL COUNSEL HAROLD A. MCLEAN (850) 413-6199

## Public Service Commission

February 20, 2002

TF739-01-0-D B.K. Hartley 1886 Seminole Road Atlantic Beach, FL 32233-5916

Dear Certificate Holder:

The Division of the Commission's Clerk and Administrative Services has forwarded your account to our office to address the nonpayment of the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 2001, which was due January 30, 2002. The RAFs return form was mailed to you on **December 15, 2001**, and to date. Commission records reflect that payment has not been received.

According to Florida Law, you are required to add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof, beyond the due date, up to a maximum of 25% in addition to the delinquent amount due. In addition, pursuant to Section 364.285, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each offense, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 364.

Utilities are charged with knowledge of our rules and statutes. Morcover, it is general Commission practice that all utilities that apply for Pay Telephone certificate receive a copy of all applicable rules. Further, in accordance with Section 364.335, Florida Statutes, as part of the application process, utilities provide an affidavit indicating that they have read and understood the applicable rules.

If you wish to request another form, please contact Jackie Knight at the number below. The payment should be identified with the company code and the company's name. Failure to provide payment within 15 days of this notice will result in the establishment of a docket to address your failure to return the RAFs form and pay RAFs in accordance with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. As specified above, pursuant to Section 364.285, Florida Statutes, the Commission may impose a fine or cancel your telecommunications certificate. Therefore, it is important that you address this matter now.

If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions concerning this letter please contact Jackie Knight at (850) 413-6267 or via Internet e-mail at <a href="mailto:iknight@psc.state.fl.us.">iknight@psc.state.fl.us.</a>

Sincerely,

Harold McLean General Counsel

KMP

Jackie Knight, Bureau of Administrative Services/Fiscal Services Section

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

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

Jon John

#### Printed on 03/13/2002 at 09:51:27 by PJI

Complete Name: B.K. Hartley

Mailing Name: B.K. Hartley

Company Code: TF739 FEID Number:

#### RAF ACCOUNT FOR THE PERIOD 01/01/1997 THROUGH 12/31/1997

Req. Date:

07/24/1996

Inactive Date:

Service:

PAT - Pay Telephone

Received:

Actual RAF Form

Status:

Pending

Amended:

No

Extension:

No

Frozen:

No

Comments:

No

Payment Count: 1 Payment Made to Date

Operating Rev:

\$0.00

Interstate Rev:

\$0.00

RAF Rate:

0.0015

Net RAF Due:

\$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$2.50	\$0.00	\$2.50
Interest	\$0.50	\$0.00	\$0.50
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$53.00	\$50.00	\$3.00

Last modification was made on Tuesday, December 5, 2000 at 8:42 AM by Jackie Knight

B.K. HARTLEY (TF739)

Industry: Telecommunications, Service provided: PAT

Company type: Pay Telephone Companies Regulation date: 07/24/1996, Inactive date:

Certificate number: 4674, County: Company liaison: B.K. Hartley, Owner

Mailing address:

Location address:

1886 Seminole Road

1886 Seminole Road

Atlantic Beach, FL 32233-5916

Atlantic Beach, FL 32233-5916

E-mail address:

Web site:

Phone number: (904) 246-6905

Fax number:

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

RAF rate: 0.0015

Operating rev:

\$0.00 Gross intrastate rev:

\$0.00

Check Amount

Documents: Actual RAF form received on 02/17/1998

RAF form mailed on 11/24/1997 (Certified id #: P173 997 147)

Postmarked Trans Date Date Posted-By Dep # Check # 02/17/1998 03/03/1998 03/30/1998-JBW DH715 1113

\$50.00

RAF paid

DH715

\$50.00

#### Printed on 03/13/2002 at 09:51:37 by PJI

Complete Name: B.K. Hartley

Mailing Name: B.K. Hartley

Company Code: TF739 FEID Number:

#### RAF ACCOUNT FOR THE PERIOD 01/01/1998 THROUGH 12/31/1998

Reg. Date:

07/24/1996

Inactive Date:

Service:

PAT - Pay Telephone

Received:

Actual RAF Form

Status:

Satisfied

Amended:

No

Extension:

No

Frozen:

No

Comments:

No

Payment Count: 2 Payments Made to Date Operating Rev:

\$0.00

Interstate Rev:

\$0.00

RAF Rate:

0.0015

Net RAF Due:

\$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$140.00	\$0.00
Penalty	\$5.00	\$14.50	\$0.00
Interest	\$1.00	\$0.50	\$0.50
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$56.00	\$155.00	\$0.50

Last modification was made on Tuesday, December 5, 2000 at 8:42 AM by Jackie Knight

B.K. HARTLEY (TF739)

Industry: Telecommunications, Service provided: PAT

Company type: Pay Telephone Companies Regulation date: 07/24/1996, Inactive date:

Certificate number: 4674, County: Company liaison: B.K. Hartley, Owner

Mailing address:

Location address:

1886 Seminole Road

1886 Seminole Road

Atlantic Beach, FL 32233-5916

Atlantic Beach, FL 32233-5916

E-mail address:

Web site:

Phone number: (904) 246-6905

Fax number:

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

RAF rate: 0.0015

Operating rev:

\$0.00 Gross intrastate rev:

\$0.00

Documents: Actual RAF form received on 03/24/1999

Delinquent letter mailed on 03/17/1999

RAF form mailed on 11/19/1998

Postmarked Trans Date Date Posted-By Dep # Check # Check Amount 03/24/1999 04/08/1999 04/08/1999-JIK EI112 1257 \$155.00 RAF paid EI112 \$140.00 RAF paid EI112 \$0.00 Penalty paid EI112 \$12.00 Penalty paid EI112 \$2.50 Interest paid EI112 \$0.50

#### Printed on 03/13/2002 at 09:51:48 by PJI

Complete Name: B.K. Hartley

Mailing Name: B.K. Hartley

Company Code: TF739 FEID Number:

#### RAF ACCOUNT FOR THE PERIOD 01/01/2000 THROUGH 12/31/2000

Reg. Date:

07/24/1996

Inactive Date:

Service:

PAT - Pay Telephone

Received:

No RAF Form

Status:

Pending

Amended:

No

Extension:

No

Frozen:

No

Comments:

No

Payment Count: 1 Payment Made to Date

Operating Rev:

\$0.00

Interstate Rev:

\$0.00

RAF Rate:

0.0015

Net RAF Due:

\$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$2.50	\$0.00	\$2.50
Interest	\$0.50	\$0.00	\$0.50
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$53.00	\$50.00	\$3.00

Last modification was made on Tuesday, March 13, 2001 at 3:46 PM by Jackie Knight

B.K. HARTLEY (TF739)

Industry: Telecommunications, Service provided: PAT

Company type: Pay Telephone Companies Regulation date: 07/24/1996, Inactive date:

Certificate number: 4674, County: Company liaison: B.K. Hartley, Owner

Mailing address:

Location address:

1886 Seminole Road

1886 Seminole Road

Atlantic Beach, FL 32233-5916

Atlantic Beach, FL 32233-5916

E-mail address:

Web site:

Phone number: (904) 246-6905

Fax number:

Period covered: 01/01/2000 through 12/31/2000 Operating rev: \$0.00 Gross intrastate rev:

RAF rate: 0.0015

\$0.00

Documents: Delinquent letter mailed on 02/21/2001

RAF form mailed on 12/05/2000

Postmarked Trans Date Date Posted-By Dep # Check # Check Amount 02/28/2001 03/13/2001 03/13/2001-JIK GI033 1369 \$50.00 RAF paid GI033 \$50.00