

STATE OF FLORIDA

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DIVISION OF COMPETITIVE MARKETS &
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WALTER D'HAESELEER
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Public Service Commission

July 31, 2002

Mr. Dan Fuhrman, President
Telcom.Net, Inc. (TJ067)
17701 Biscayne Blvd., 3rd Floor
Aventura, FL 33160-4813

RE: Docket No. 020680-TI

Dear Mr. Fuhrman:

On May 16, 2002, I wrote you and explained that the 2000 and 2001 Regulatory Assessment Fees, plus penalty and interest charges, had not been received and that in order to avoid a docket being established, the Commission must receive payment by June 6, 2002. The letter explained that if a docket was established, just paying the past due amount would not prevent the company's certificate from being cancelled. Payment was not received, therefore, Docket No. 020680-TI was established on July 10, 2002.

On July 17th, the Commission received the company's payment in full. On the 2001 Regulatory Assessment Fee return form next to the "Intrastate Revenue" column, a hand-written note advised "discontinue segment 10/31/00." If you are requesting cancellation of your IXC certificate in Florida, you must comply with Rule 25-24.474, Florida Administrative Code. A copy of that rule is enclosed. If you wish to keep your certificate active, you must propose a settlement, instructions attached.

Please review this information and respond in writing by August 21, 2002. 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
Bureau of Service Quality

Enclosures

cc: Docket No. 020680-TI
Office of the General Counsel (Elliott)

DOCUMENT NUMBER DATE
08029 JUL 31 2002
FPSC-COMMISSION CLERK

25-24.474 Cancellation of a Certificate.

(1) The Commission may on its own motion cancel a company'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 rule or order; or
- (c) Violation of Florida Statutes.

(2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request.

- (a) Statement of intent and date to pay Regulatory Assessment Fee.
- (b) Statement of why the certificate is proposed to be cancelled.
- (c) A statement on treatment of customer deposits and final bills.
- (d) Proof of individual customer notice regarding discontinuance of service.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 350.127(1), 364.285, 364.337, 364.345 FS.

History--New 2-23-87, Amended 3-13-96.

Settlement Proposals

All settlements must include the following elements:

- 1) Docket number;
- 2) A statement that the company has taken steps to prevent future late payments of the regulatory assessment fees and what those steps are;
- 3) 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
- 4) A specific monetary settlement. There is normally a \$500 fine for this rule violation. However, in other similar cases, the Commission has accepted settlements between \$100 and \$500.

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. The settlement amount, if approved by the Commission, must be paid within 14 calendar days after the Commission Order is issued.