

REQUEST TO ESTABLISH DOCKET
(Please Type)

Date	January 27, 2003	Docket No.	0300 83-TX
-------------	------------------	-------------------	------------

1. Division Name/Staff Name:	Competitive Markets & Enforcement/HAWKINS
-------------------------------------	---

2. OPR:	HAWKINS
----------------	---------

3. OCR:	
----------------	--

4. Suggested Docket Title:	Request for cancellation of ALEC Telecommunications Certificate
-----------------------------------	---

No. 7385 by Avix Technologies, Inc., effective 12/31/02.

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

A. Provide NAMES OR ACRONYMS ONLY if a regulated company.

B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)

1. Parties and their representatives (if any):

2. Interested persons and their representatives (if any):

6. Check one:

Yes Documentation is attached.

Documentation will be provided with recommendation.

BNA
1/24/03

COMPANY NAME: Avix Technologies, Inc. CO. CODE: TX417

COMPANY LIAISON: Ken Allen, VP/Operations

DOCKET NO.: _____ CERTIFICATE NO.: 7385 EFFECTIVE: 03/29/00

RAF RETURN NOTICE: _____

DELINQUENT NOTICE: _____

OTHER RETURNED MAIL: _____

CCA'S RETURNED MAIL: _____

YEAR(s) RAFs NOT PAID: 2002

YEAR(s) PENALTIES & INTEREST NOT PAID: 2001

REVENUES/YEAR: _____

DATE LOTUS CHECKED FOR PAYMENT: _____

OTHER INFORMATION

01/07/03 - CCA provided me a copy of the company's 2002 RAF form (no payment)

and which had the note "Company is in bankruptcy court process.

No revenues/no money."

01/09/03 - Wrote company and advised to write letter requesting cancellation

due to bankruptcy and asking that RAFs be written off if company

has no funds. Follow up 01/30/03

1/17/03 - v/m msg. @ 1:26 pm fr Jim Chadwell (?)

Cont.

1/17/03 - 813-654-2881

1/22/03 - I called JC @ 3:54 pm & the person
ans. phone sd. he was in a meeting
& that wst. he had mailed a CK for
\$53 and a letter.

1/24/03 - Iron Co. - Paym. of 2002 RAF plus
\$3 P&I past due amt. and letter
requesting cancellation.

- Forw. file to J. Gilchrist for handling.
Voluntary cancellation, Eff. 12/31/02.



Avix Technologies, Inc.

January 17, 2003

Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Dear Paula J Isler:

Pursuant to your letter dated January 9, 2003, we do hereby request cancellation of our alternative local exchange carrier certificate by the Commission effective December 31, 2002. We are not aware of what it means to be in compliance with Rule 25-24.820, Florida Administrative Code.

Required information:

- a. Enclosed is a check for \$53.00 for the late 2001 Regulatory Assessment Fee and the 2002 Regulatory Assessment Fee.
- b. The certificate should be cancelled since we are not in the Alternative Local Exchange business. Our entire business is that of being a software business.
- c. We have no customer deposits and no final customer bills.
- d. Since we have no customers, we have no one to whom a notice regarding discontinuation of service can be provided.

Thank you for your assistance and if you have any questions please contact me at mobile phone 727-488-4100.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph L Morgan", is written over a large, stylized circular flourish.

Joseph L Morgan
President

COMPETITIVE SERVICES
JAN 25 2003
08 31 03 45 11 20 03

14409 Eagle Pointe Drive
Clearwater, FL 33762

Phone: 727-460-7337 Fax: 727-540-0237

PO Box 764
Brandon, FL 33509

Fax: 813-655-4329

AVIX Technologies, Inc.
P O Box 1690
Brandon, FL 33509-1690



Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Attn: Paula J. Asler

22299+0850 01



AVIX TECHNOLOGIES INC DIP ACCOUNT 10/2002		1023
P O BOX 764		63-658/631
BRANDON, FL 33509-0764		
DATE <i>Jan. 21, 2003</i>		
PAY TO THE ORDER OF	<i>State of Florida - Public Service</i>	\$ <i>53.00</i>
<i>Fifty Three and no/100</i>		DOLLARS
SUNTRUST SunTrust Bank		Security Features Details on Back
FOR	<i>James M. Chadwell</i>	

STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



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

Public Service Commission

January 9, 2003

Mr. Joseph L. Morgan, President
Avix Technologies, Inc.
PO Box 764
Brandon, FL 33509

Dear Mr. Morgan:

The Commission received the company's 2002 Regulatory Assessment Fee return form with the note "Comany is in bankruptcy court process. No revenues/no money" and which appears to be a request for cancellation. Rule 25-24.820(2)(a), (b), (c), and (d), Florida Administrative Code, states:

- (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. Cancellation of a certificate shall be ordered subject to the holder providing the required information.
 - (a) A statement of intent and date certain to pay regulatory assessment fee.
 - (b) A statement of why the certificate is proposed to be cancelled.
 - (c) A statement as to how customer deposits and final bills will be handled.
 - (d) Proof of individual customer notice regarding discontinuance of service.

There are three kinds of cancellations. The first is voluntary, which is normally granted if the company is in good standing with the Commission and does not have a past due balance of the Regulatory Assessment Fee (RAF), including statutory penalty and interest charges, and fully complies with the above rule. The second is involuntary. If a company is not in good standing and has an outstanding balance of the RAF, the Commission normally cancels the certificate on its own motion for a rule violation. It should be noted that any balance owed is forwarded to the Comptroller's Office for collection. The third is a bankruptcy cancellation. A bankruptcy cancellation is granted to companies that have provided the Commission with proof of the

Mr. Joseph L. Morgan, President

Page 2

January 9, 2003

bankruptcy, complies with the above rule, and if there are no funds, asks the Commission to write-off any unpaid fees. The Commission has not been provided with proof of bankruptcy for Avix Technologies, Inc.

The Regulatory Assessment Fee is assessed if a certificate is active for any one day during a calendar year and is due by January 30 of each year, unless the 30th falls on a weekend, then the fee is due by the next working day, for the previous year. If payment for the Regulatory Assessment Fee is mailed after the due date, then statutory penalty and interest charges are applicable.

If you wish to cancel Avix Technologies, Inc.'s alternative local exchange carrier certificate, please write a letter and comply with Rule 25-24.820, Florida Administrative Code. As information, our records show that Avix has a \$3.00 balance for late payment of the 2001 Regulatory Assessment Fee and the \$50.00 minimum is due by January 30, 2003, for the 2002 Regulatory Assessment Fee.

If your letter requesting cancellation is received by January 30th, I will establish a docket to cancel the company's certificate effective December 31, 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

Enclosure

Alternative Local Exchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:

01/01/2002 TO 12/31/2002

Florida Public Service Commission

(See Filing Instructions on Back of Form)

TX417-02-0-R
 Avix Technologies, Inc.
 601 South Harbour Island Blvd., #103 } *VACATED*
 Tampa, FL 33602-5927
 Po Box 764
 BRANDON FL 33504

FOR PSC USE ONLY

Check# _____

\$ _____ 0603006
 _____ 003001

\$ _____ P
 _____ 0603006
 _____ 004011

\$ _____ I

Postmark Date 12/31/02

Initials of Preparer JK

Please Complete Below If Official Mailing Address Has Changed

(Name of Company) _____ (Address) _____ (City/State) _____ (Zip) _____

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA	
		GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ 0	\$ 0
2.	Long Distance Services (IntraLATA only)**	0	0
3.	Access Services	0	0
4.	Private Line Services	0	0
5.	Leased Facilities & Circuits Services	0	0
6.	Miscellaneous Services	0	0
7.	TOTAL REVENUES		\$ 0
8.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)		0
9.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		0
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015)		0
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	0	
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	0	
13.	TOTAL AMOUNT DUE		\$ 0

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

** Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return

NO RETURN DUE.

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

() Facilities-Based Provider

CURRENT COMPANY STATUS

() Reseller

Other: NO ACTIVITY

COMPANY IS IN BANKRUPTCY COURT PROCESS

Complete below if billing agent if other than yourself.

BILLING INFORMATION

NO REVENUES / NO MONEY

(Name) _____ (Address: City/State/Zip) _____ (Telephone) _____

COMPANY INFORMATION

Do you lease telecommunications facilities? () YES NO *NO LEASES*

If YES, who do you lease these facilities from? Name: _____

Address: _____

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/her duty shall be guilty of a misdemeanor of the second degree.

[Signature] (Signature of Company Official)

President (Title)

12-30-02 (Date)

(Preparer of Form - Please Print Name) _____

Telephone Number *(727) 488 4100* Fax Number () _____

F.E.I. No *59-3560920*

C: Paula Isler

Alternative Local Exchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:
01/01/2002 TO 12/31/2002

Florida Public Service Commission

(See Filing Instructions on Back of Form)

TX417-02-0-R Avix Technologies, Inc. 601 South Harbour Island Blvd., #103 } VACATED Tampa, FL 33602-5927 Po Box 764 BRANDON FL 33504

FOR PSC USE ONLY	
Check#	_____
\$ _____	0603006
\$ _____	003001
\$ _____	P
\$ _____	0603006
\$ _____	004011
Postmark Date	12/31/02
Initials of Preparer	JK

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
-------------------	-----------	--------------	-------

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA	
		GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ 0	\$ 0
2.	Long Distance Services (IntraLATA only)**	0	0
3.	Access Services	0	0
4.	Private Line Services	0	0
5.	Leased Facilities & Circuits Services	0	0
6.	Miscellaneous Services	0	0
7.	TOTAL REVENUES		\$ 0
8.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)		0
9.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		0
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015)		0
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	0	
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	0	
13.	TOTAL AMOUNT DUE		\$ 0

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

** Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return

NO RETURN DUE.

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

() Facilities-Based Provider

CURRENT COMPANY STATUS

() Reseller

Other: NO ACTIVITY

COMPANY IS IN BANKRUPTCY COURT PROCESS

BILLING INFORMATION

Complete below if billing agent if other than yourself.

NO REVENUES / NO MONEY

(Name) _____ (Address: City/State/Zip) _____ (Telephone) _____

COMPANY INFORMATION

Do you lease telecommunications' facilities? () YES NO

If YES, who do you lease these facilities from? Name: NO LEASES

Address: _____

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/her duty shall be guilty of a misdemeanor of the second degree.

[Signature] (Signature of Company Official)

President (Title)

12-30-02 (Date)

(Preparer of Form - Please Print Name)

Telephone Number 727 488 4100 Fax Number ()

F.E.I. No 59-3560920

C: Paula Isler

COMPANY IDENTIFICATION

Printed on 01/08/2003 at 09:43:33 by PJI

Complete Name: Avix Technologies, Inc.

Mailing Name: Avix Technologies, Inc.

Company Code: TX417 FEID Number: 59-3560920

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

Reg. Date: 03/29/2000 Inactive Date:
 Service: ALX - Alternative Local Exchange
 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 Monday, February 11, 2002 at 12:06 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001 RAF rate: 0.0015
 Operating rev: \$0.00 Gross intrastate rev: \$0.00
 Documents: Actual RAF form received on 01/31/2002
 RAF form mailed on 12/06/2001

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
01/31/2002	02/08/2002	02/11/2002-JIK	HH172	2189	\$50.00
	RAF paid		HH172		\$50.00

Brenda Hawkins

From: Paul Lowery
Sent: Monday, January 27, 2003 10:18 AM
To: Brenda Hawkins
Subject: RE: Request for Cancellation - AVIX Technologies - TX417

No complaints found. Thanks!

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

From: Brenda Hawkins
Sent: Monday, January 27, 2003 9:18 AM
To: Paul Lowery
Subject: Request for Cancellation - AVIX Technologies - TX417

Good morning, Paul! Have there been any complaints about the above company?