



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: February 10, 2003
TO: Blanca Bayó, Director, Division of Commission Clerk and Administrative Services
FROM: Brent R. Taylor, Bureau of Telecommunications, Division of Legal Services **BRT**
RE: Request for Permission from Department of Financial Services to Write-Off the RAFs for the year 2002 for American Long Lines, Inc. (TI599).

On October 28, 2002, Docket No. 021110-TI, was established to address TI599's failure to remit RAFs for the year 2002. By Order No. PSC-02-1740-PAA-TI, issued on December 10, 2002, the Commission approved the cancellation of TI599's Interexchange Certificate No. 4826. The Commission further ordered that the outstanding Regulatory Assessment Fees not be sent to the Department of Financial Services for collection, but instead, that the Division of the Commission Clerk and Administrative Services should request permission to write-off the uncollectible amount.

Therefore, staff requests that Bureau of Administrative Services/Fiscal Services Section take the appropriate steps to seek permission from the Department of Financial Services to write-off the uncollectible RAFs for the year 2002 for American Long Lines, Inc. (TI599).

cc: Jackie Knight
Paula Isler

RECEIVED FPSC
FEB 10 PM 3:27
COMMISSION
CLERK

- AUS _____
- CAF _____
- OMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC I
- OTH _____

DOCUMENT NUMBER-DATE

01364 FEB 10 03

FPSC-COMMISSION CLERK

**STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
BUREAU OF ACCOUNTING
DELINQUENT ACCOUNTS RECEIVABLE TRANSMITTAL
(PLEASE PRINT OR TYPE)**

AGENCY FLORIDA PUBLIC SERVICE COMMISSION DATE FEBUARY 10, 2003 PAGE 1 OF 1
 CONTACT KAREN BELCHER, DIRECTOR, FISCAL SERVICES
 PHONE NUMBER (850) 413-6273
 FLAIR ACCOUNT CODE SAMAS ACCOUNT CODES: 61 50 2 573003 610100 00 000300
61 74 1 000331 610100 00 001200

TI599

021110TI American Long Lines, Inc.

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
400 Horsham Road	Horsham	PA		19044-2140	

Last Known Address (Include Zip)

Home Telephone	Work Phone	Principal Amount	Penalty/Interest Amount	Total
	(215) 442-9050	\$50.00	\$2.50/.50	\$53.00

§364.366, F.S., §350.113, F.S., Rule 25-4.0161, F.A.C	10/25/02	8
--	----------	---

Penalty/Interest Authority	Date Debt Incurred	Debt Type
2002, Regulatory Assessment Fee; 2002 Penalties and Interest		

Debt Description, e.g., Drivers License, Property Damage

Additional Information, e.g., Date of Birth, Drivers License Number, etc

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Bankruptcy cancellation
by Florida Public Service
Commission of IXC Certificate
No. 4826 issued to American Long
Lines, Inc., effective 10/25/02.

DOCKET NO. 021110-TI
ORDER NO. PSC-03-0049-CO-TI
ISSUED: January 7, 2003

CONSUMMATING ORDER


BY THE COMMISSION:

By Order No. PSC-02-1740-PAA-TI, issued December 10, 2002, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order, in regard to the above mentioned docket. It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-02-1740-PAA-TI has become effective and final. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 7th day of January, 2003.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

BRT

DOCUMENT NUMBER-DATE

00174 JAN-78

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Bankruptcy cancellation
by Florida Public Service
Commission of IXC Certificate
No. 4826 issued to American Long
Lines, Inc., effective 10/25/02.

DOCKET NO. 021110-TI
ORDER NO. PSC-02-1740-PAA-TI
ISSUED: December 10, 2002

The following Commissioners participated in the disposition of
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CANCELLATION OF INTEREXCHANGE TELECOMMUNICATIONS
CERTIFICATE DUE TO CHAPTER 11 BANKRUPTCY

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

American Long Lines, Inc. (American Long Lines) currently holds Certificate of Public Convenience and Necessity No. 4826, issued by the Commission on March 18, 1997, authorizing the provision of Interexchange Telecommunications (IXC) service.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161 (2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing IXC service.

DOCUMENT NUMBER-DATE

13474 DEC 10 02

FPSC-COMMISSION CLERK

On June 5, 2001, we received notice that American Long Lines had filed for Chapter 11 bankruptcy protection. On October 25, 2002, we received a letter dated October 21, 2002, from the company's attorney, Mr. Paul C. Besozzi, advising that the US Bankruptcy Court for the Southern District of New York had approved the corporate dissolution and termination of existence of American Long Lines. Mr. Besozzi's letter stated that the company did not have any customers, assets or operations at the time of its termination of existence.

Chapter 11 of Section 109 of the Federal Bankruptcy Code provides for reorganization by business entities. The filing of a bankruptcy petition under Chapter 11 invokes an automatic injunction known as the Automatic Stay, codified in Bankruptcy Code Section 362. Section 362(b)(5) provides that, for governments, the filing of the petition does not operate as a stay "of the enforcement of a judgment, other than a money judgment, obtained in an actual proceeding by a governmental unit to enforce such governmental unit's police or regulatory power." (emphasis added) Thus, it would appear that we are not enjoined from exercising our police powers to protect public health, safety and welfare, but are enjoined from exercising our regulatory authority seeking to collect a debt. However, in this case, the company has requested cancellation of its certificate. Under those circumstances, this Commission is free to do so. We note that the Division of the Commission Clerk and Administrative Services will be notified that the past due RAFs should not be sent to the Comptroller's Office for collection, but that permission for the Commission to write-off the uncollectible amount should be requested.

Accordingly, we find it appropriate to cancel IXC Certificate No. 4826, effective October 25, 2002. If American Long Lines' certificate is canceled in accordance with this Order, American Long Lines shall immediately cease and desist providing IXC services in Florida. We are vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.335, Florida Statutes.

ORDER NO. PSC-02-1740-PAA-TI
DOCKET NO. 021110-TI
PAGE 3

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that American Long Lines, Inc.'s Certificate No. 4826 to provide Interexchange Telecommunications services is hereby canceled, effective October 25, 2002. It is further

ORDERED that the outstanding Regulatory Assessment Fees should not be sent to the Comptroller's Office for collection. The Division of the Commission Clerk and Administrative Services, instead, shall request permission to write-off the uncollectible amount. It is further

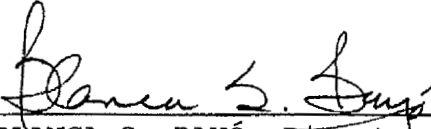
ORDERED that if American Long Lines, Inc.'s Certificate No. 4826 is canceled in accordance with this Order, that entity shall immediately cease and desist providing Interexchange Telecommunications services in Florida. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

ORDER NO. PSC-02-1740-PAA-TI
DOCKET NO. 021110-TI
PAGE 4

By ORDER of the Florida Public Service Commission this 10th
Day of December, 2002.



BLANCA S. BAYÓ, ~~Director~~
Division of the Commission Clerk
and Administrative Services

(S E A L)

JAE

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding,

ORDER NO. PSC-02-1740-PAA-TI
DOCKET NO. 021110-TI
PAGE 5

in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 31, 2002.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.