

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date	July 15, 2003	Docket No.	030619-TX
1. Division Name/Staff Name:		Competitive Markets & Enforcement/Isler	
2. OPR: Division of Competitive Markets & Enforcement			
3. OCR: Office of the General Counsel			
4. Suggested Docket Title: Cancellation by Florida Public Service Commission of CLEC Certificate No. 5742 issued to The Mobile Phone Company, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.			
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:			
<input checked="" type="checkbox"/> Documentation is attached.			
<input type="checkbox"/> Documentation will be provided with recommendation.			
PSC\CCA010-C (Rev 10/01)			

DOCUMENT NUMBER-DATE
06282 JUL 15 8
FPSC-COMMISSION CLERK

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
BETH W. SALAK
DIRECTOR
(850) 413-6600

Public Service Commission

July 3, 2003

Mr. Edwin Altamirano, President
The Mobile Phone Company, Inc. (TX246)
5975 North Federal Hwy., Suite 116
Fort Lauderdale, FL 33308-2661

Dear Mr. Altamirano:

Payment for the 2002 Regulatory Assessment Fee was due January 30, 2003. As of this date, payment has still not been received. A delinquent notice was mailed on February 21, 2003, via certified mail, which was signed for and delivered. On April 11th, I wrote you and explained that payment had not been received and enclosed a copy of the 2002 Regulatory Assessment Fee return form.

The fee is .0015% of a company's intrastate revenues, or \$50.00, whichever is greater. The fee is due even if a company never started operations or had any revenues. In addition, statutory penalty and interest charges are applicable.

Please pay the past due amount to avoid an enforcement docket from being established for violation of Rule 25-4.0161, Florida Administrative Code. Let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler".

Paula J. Isler, Research Assistant
Bureau of Service Quality

TMS #570

STATE OF FLORIDA

251

COMMISSIONERS:

LILA A. JABER, CHAIRMAN
J. TERRY DEASON
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CHARLES M. DAVIDSON



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

Public Service Commission

April 11, 2003

Mr. Edwin Altamirano, President
The Mobile Phone Company, Inc. (TX246)
5975 North Federal Hwy., Suite 116
Fort Lauderdale, FL 33308-2661

Dear Mr. Altamirano:

The Regulatory Assessment Fee (RAF) is due by January 30th of each year for the preceding calendar year. For certificate holders, the RAF is owed even if a telecommunications company may not have started operations or had any revenues. If payment is made after the due date, then statutory penalty and interest charges are applicable.

Our records show that the 2002 RAF return notice was mailed on December 12, 2002, and a delinquent notice was mailed on February 20, 2003. As of this date, our records do not show receipt of the RAF return or payment. A copy of the 2002 RAF return form is enclosed. Our records also show that you have a small past due balance for late payment of the 2001 fee, which must be paid. A breakdown is enclosed.

If full payment, including penalty and interest charges, along with the RAF return form, are not received by April 30, 2003, a docket will be established. Since this will be the third time a docket is established for the same rule violation, staff intends to recommend cancellation of the company's certificate if you do not respond. Please note that once a docket has been established, **just paying the delinquent RAF amount will not prevent your certificate from being cancelled.**

If you wish to cancel your certificate voluntarily and leave in good standing with the Commission, your company should pay the past due amount in full, complete the 2002 RAF return form, either pay the 2003 RAF or provide a date certain it will be paid, and comply with the requirements of Rule 25-24.820, Florida Administrative Code, copy enclosed. Any unpaid RAFs, including penalty and interest charges, are turned over to the Florida Department of Financial Services for further collection efforts.

If you have any questions, please contact me at (850) 413-6502, by fax at (850) 413-6503, by e-mail at pisler@psc.state.fl.us, or by writing to me at the address below.

Sincerely,

Handwritten signature of Paula J. Isler in cursive.

Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosures

Alternative Local Exchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

FOR PSC USE ONLY

Check# _____

\$ _____ 0603006
003001

\$ _____ P
0603006
004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

STATUS:

- _____ Actual Return
 _____ Estimated Return
 _____ Amended Return

TX246-02-0-R
 The Mobile Phone Company, Inc.
 5975 North Federal Highway, Suite 116
 Ft. Lauderdale, FL 33308-2661

cc: P. Isler

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

Please Complete Below If Official Mailing Address Has Changed

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

* These amounts must be intrastate only and must be verifiable.
 ** Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.

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

CURRENT COMPANY STATUS

- Facilities-Based Provider
- Reseller
 Other: _____

BILLING INFORMATION

Complete below if billing agent if other than yourself.

(Name)	(Address: City/State/Zip)	(Telephone)
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COMPANY INFORMATION

Do you lease telecommunications' facilities? YES NO

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 of Company Official)	(Title)	(Date)
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(Preparer of Form - Please Print Name)	Telephone Number ()	Fax Number ()
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F.E.I. No. _____

The Mobile Phone Company, Inc. (TX246)
Certificate No. 5742, Effective 12/05/98

Year	Fee	Penalty	Interest	Notes
2001	\$50.00 - Due <u>39.84</u> - Paid \$10.16 - Balance	N/A	N/A	Payment was due 01/30/02. The company's partial payment for the RAF was postmarked 01/30/02, leaving a balance of \$10.16.
2002				Payment was due by 01/30/03. Payment has not been received. The RAF is .0015% of a company's intrastate revenues, or \$50.00, whichever is greater. In addition, the company owes statutory penalty and interest charges.
Totals	\$10.16	N/A	N/A	Total: \$10.16

25-24.820 Revocation of a Certificate.

(1) The Commission may on its own motion, after notice and opportunity for hearing, revoke a company's certificate for any of the following reasons:

- (a) Violation of a term or condition under which the authority was originally granted;
- (b) Violation of Commission rule or order;
- (c) Violation of Florida Statute; or
- (d) Violation of a price list standard.

(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 canceled.
- (c) A statement as to how customer deposits and final bills will be handled.
- (d) Proof of individual customer notice regarding discontinuance of service.

Specific Authority 350.127(2) FS.

Law Implemented 364.335, 364.345 FS.

History--New 12-27-95.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF RETURN ADDRESS. FOLD AT DOTTED LINE

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TX246 The Mobile Phone Company, Inc.
5975 North Federal Highway, Suite 118
Ft. Lauderdale, FL 33308-2661

A. Received by (Please Print Clearly) B. Date of Delivery

ORLANDO RODRIGUEZ 2/24

C. Signature

X  Agent
 Addressee

D. Is delivery address different from Item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7002 0860 0001 1755 7917

MCD Company Information for TX246

Printed on 07/15/2003 at 10:29:46 by PJI

Company Code: TX246
Complete Name: The Mobile Phone Company, Inc.
Mailing Name: The Mobile Phone Company, Inc.
Certificate No(s): 5742
Status: Active
Regulation Date: 12/05/1998
Bankruptcy: No
Company Liaison #1: Edwin Altamirano
Title: President
Mailing Address: 5975 North Federal Highway, Suite 116

Physical Location: Ft. Lauderdale, FL 33308-2661
5030 Champion Blvd., Suite G1D

Phone: Boca Raton, FL 33496-2478
(561) 241-7776
Fax: (954) 772-6180

Related Dockets:

980452-TP Request by BellSouth Telecommunications, Inc. for approval of resale agreement with The Mobile Phone Company, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

981040-TX Application for certificate to provide alternative local exchange telecommunications service by The Mobile Phone Company, Inc.

990591-TP Request for approval of amendment to existing resale agreement between BellSouth Telecommunications, Inc. and The Mobile Phone Company, Inc.

992001-TX Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 5742 issued to The Mobile Phone Company, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

000375-TP Request by BellSouth Telecommunications, Inc. for approval of resale agreement with The Mobile Phone Company, Inc.

010236-TX Request for approval of transfer of control of The Mobile Phone Company, Inc. (holder of ALEC Certificate No. 5742) from Interoute Telecommunications, Inc. to Mr. Edwin Altamirano.

011146-TX Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 5742 issued to The Mobile Phone Company, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

COMPANY IDENTIFICATION

Printed on 03/18/2003 at 11:18:27 by PJI

Complete Name: The Mobile Phone Company, Inc.

Mailing Name: The Mobile Phone Company, Inc.

Company Code: TX246 FEID Number: 65-0008939

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

Reg. Date: 12/05/1998 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: \$26,559.27 Interstate Rev: \$0.00
 RAF Rate: 0.0015 Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$39.84	\$10.16
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$50.00	\$39.84	\$10.16

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: \$26,559.27 Gross intrastate rev: \$0.00
 Documents: Actual RAF form received on 01/30/2002
 RAF form mailed on 12/06/2001

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
01/30/2002	02/08/2002	02/11/2002-JIK	HH172	13779	\$39.84
	RAF paid		HH172		\$39.84

COMPANY IDENTIFICATION

Printed on 03/18/2003 at 11:18:35 by PJI

Complete Name: The Mobile Phone Company, Inc.

Mailing Name: The Mobile Phone Company, Inc.

Company Code: TX246 FEID Number: 65-0008939

RAF ACCOUNT FOR THE PERIOD 01/01/2002 THROUGH 12/31/2002

Reg. Date: 12/05/1998 Inactive Date:
 Service: ALX - Alternative Local Exchange
 Received: No RAF Form
 Status: Pending
 Amended: No Extension: No
 Frozen: No Comments: No
 Payment Count: 0 Payments Made to Date
 Operating Rev: \$0.00 Intrastate 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 5, 2002 at 9:34 AM by Jackie Knight

Period covered: 01/01/2002 through 12/31/2002 RAF rate:
 Operating rev: \$0.00 Gross intrastate rev: \$0.00
 Documents: Delinquent letter mailed on 02/19/2003
 RAF form mailed on 12/05/2002