

REQUEST TO ESTABLISH DOCKET

(Please Type)

| | | | |
|-------------|---------------|-------------------|-----------|
| Date | July 16, 2003 | Docket No. | 030629-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. 7770 issued to Delta Phones, 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):

| | |
|--|--|
| | |
| | |
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| | |
| | |
| | |
| | |

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

| | |
|--|--|
| | |
| | |
| | |
| | |
| | |

6. Check one:

_____ **Documentation is attached.**

_____ **Documentation will be provided with recommendation.**

TRANSMISSION VERIFICATION REPORT

TIME : 06/25/2003 09:45
NAME :
FAX :
TEL :

| | |
|---------------|-----------------|
| DATE, TIME | 06/25 09:45 |
| FAX NO. /NAME | 18882038014 |
| DURATION | 00:00:28 |
| PAGE(S) | 01 |
| RESULT | OK |
| MODE | STANDARD ECM |

*faxed
1) cover sheet*

June 25, 2003

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

**2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850**

TO:

Ron Gordon

VOICE: (888) 220-9138

FAX: (888) 203-8014

FROM:

Paula Isler

Voice: (850) 413-6502

Fax: (850) 413-6503

E-mail: Pisler@psc.state.fl.us

RE:

Delta Phones, Inc.
(TX534)

Dear Mr. Gordon:

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 and it was signed for and delivered on March 3, 2003. 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.

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

STATE OF FLORIDA



266
DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

April 11, 2003

Mr. Ron Gordon, General Manager
Delta Phones, Inc. (TX534)
PO Box 784
Delhi, LA 71232-0784

Dear Mr. Gordon:

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.

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. Your company will be fined or your certificate cancelled 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,

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

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)

STATUS:

- Actual Return
 Estimated Return
 Amended Return

TX534-02-0-R
 Delta Phones, Inc.
 P. O. Box 784
 Delhi, LA 71232-0784

cc: P. Isler

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

FOR PSC USE ONLY

Check# _____

\$ _____ 0603006
003001

\$ _____ P
0603006
004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

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 | \$ _____ | \$ _____ |
| 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)

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)

 (Preparer of Form - Please Print Name) Telephone Number () Fax Number ()

F.E.I. No. _____

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.

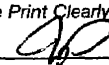
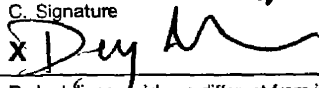
(2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request. Cancellation of a certificate shall be ordered subject to the holder providing the required information.

- (a) A statement of intent and date certain to pay regulatory assessment fee.
- (b) A statement of why the certificate is proposed to be 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.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.335, 364.345, F.S.

History: New 12/26/95.

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY | |
|--|--|----------------------------|
| <ul style="list-style-type: none"> ■ 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. | A. Received by <i>(Please Print Clearly)</i>  | B. Date of Delivery 3-3 |
| 1. Article Addressed to: | C. Signature  | |
| TX534 Delta Phones, Inc. P. O. Box 784 Delhi, LA 71232-0784 | D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No | |
| | 3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. | |
| 2. Article Number <i>(Transfer from service label)</i> | 4. Restricted Delivery? <i>(Extra Fee)</i> <input type="checkbox"/> Yes | |
| | 7002 0860 0001 1756 4915 | |

MCD Company Information for TX534

Printed on 07/16/2003 at 09:34:24 by PJI

Company Code: TX534
Complete Name: Delta Phones, Inc.
Mailing Name: Delta Phones, Inc.
Certificate No(s): 7770
Status: Active
Regulation Date: 04/05/2001
Bankruptcy: No
Company Liaison #1: Ron Gordon
Title: General Manager
Mailing Address: P. O. Box 784

Physical Location: Delhi, LA 71232-0784
245 Illinois Street

Phone: Delhi, LA 71232-2835
(888) 220-9138
Fax: (888) 203-8014

Related Dockets:

001675-TX Application for certificate to provide alternative local exchange telecommunications service by Delta Phones, Inc.

001833-TP Request by BellSouth Telecommunications, Inc. for approval of resale agreement with Delta Phones, Inc.

010932-TP Petition by Sprint-Florida, Incorporated for approval of resale agreement with Delta Phones, Inc.

011184-TP Petition by Verizon Florida Inc. for approval of interconnection, resale, unbundling, and collocation agreement with Delta Phones, Inc.

011443-TX Compliance investigation of Delta Phones, Inc. for apparent violation of Section 364.183(1), F.S., Access to Company Records.

020487-TP Request for approval of Amendment No. 1 to interconnection, resale, unbundling, and collocation agreement between Verizon Florida Inc. and Delta Phones, Inc.

020838-TP Request for approval of resale agreement between BellSouth Telecommunications, Inc. and Delta Phones, Inc.

021234-TP Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Delta Phones, Inc.

030579-TP Complaint against BellSouth Telecommunications, Inc. concerning interconnection agreement, and petition for expedited relief, by Delta Phones, Inc.

COMPANY IDENTIFICATION

Printed on 03/20/2003 at 09:00:58 by PJI

Complete Name: Delta Phones, Inc.

Mailing Name: Delta Phones, Inc.

Company Code: TX534 FEID Number:

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

Reg. Date: 04/05/2001 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 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 5, 2002 at 9:38 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