

**REQUEST TO ESTABLISH DOCKET**  
(Please Type)

<b>Date</b>	August 5, 2003	<b>Docket No.</b>	030760-T1
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<b>1. Division Name/Staff Name:</b>	Division of Competitive Markets & Enforcement/Isler
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<b>2. OPR:</b>	Division of Competitive Markets & Enforcement
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<b>3. OCR:</b>	Office of the General Counsel
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<b>4. Suggested Docket Title:</b>	Imposition of penalty by Florida Public Service Commission against IXC
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**Registration No. TJ008, issued to Executive Business Centers, Inc., for violation of Section 363.336, Florida Statutes.**

**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:**

**Documentation is attached.**

**Documentation will be provided with recommendation.**

DOCUMENT NUMBER-DATE  
07128 AUG-5 8  
FPSC-CONNECTION CLERK

TRANSMISSION VERIFICATION REPORT

TIME : 07/10/2003 09:52  
NAME :  
FAX :  
TEL :

DATE, TIME	07/10 09:51
FAX NO./NAME	617708144301
DURATION	00:00:29
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

*Jaxed*  
*1) cover sheet*

July 10, 2003

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

TO:

Mike Dye

VOICE: (770) 814-4300  
FAX: (770) 814-4301

FROM:

Paula Isler

Voice: (850) 413-6502  
Fax: (850) 413-6503

E-mail: [Pisler@psc.state.fl.us](mailto:Pisler@psc.state.fl.us)

RE:

Executive Business Centers, Inc.  
(TJ008)

Dear Mr. Dye:

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, but was returned by the US Postal Service. On April 28<sup>th</sup>, 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. **If you owe the minimum, the total due if postmarked by July 29<sup>th</sup> is \$68.50, which includes prior year's balance.**

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



# 349  
DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

April 28, 2003

Mr. Mike Dye, Executive Vice President  
Executive Business Centers, Inc. (TJ008)  
11465 Johns Creek Parkway, #300  
Duluth, GA 30097-1572

Dear Mr. Dye:

The Regulatory Assessment Fee (RAF) is due by January 30<sup>th</sup> 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 a prior year's 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 May 19, 2003, a docket will be established. Since this will be the second time a docket is established for the same rule violation, staff intends to recommend that your company be fined or its 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 25-24.474, 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](mailto: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

# Interexchange Company Regulatory Assessment Fee Return

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

**STATUS:**

- Actual Return
- Estimated Return
- Amended Return

**PERIOD COVERED:**

01/01/2002 TO 12/31/2002

TJ008-02-0-R  
 Executive Business Centers, Inc.  
 11465 Johns Creek Parkway, #300  
 Duluth, GA 30097-1572  
 CC: P. Isler

**FOR PSC USE ONLY**

Check# \_\_\_\_\_

\$ \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 003001

\$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 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.	Long Distance Services	\$ _____	\$ _____
2.	Access Services	_____	_____
3.	Private Line Services	_____	_____
4.	Leased Facilities & Circuits Services	_____	_____
5.	Miscellaneous Services	_____	_____
6.	TOTAL Telephone Services	\$ _____	\$ _____
7.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	( _____ )	( _____ )
8.	TOTAL REVENUES For Regulatory Assessment Fee Calculation	_____	_____
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)	_____	_____
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
12.	TOTAL AMOUNT DUE	_____	\$ _____

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

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

### CURRENT COMPANY STATUS

- Facilities-Based Carrier
- Reseller
- Call Aggregator
- Alternate-Operator Service
- Rebiller
- Other: \_\_\_\_\_

### BILLING INFORMATION

Complete below if billing agent if other than yourself.

\_\_\_\_\_  
 (Name) (Address: City/State/Zip) (Telephone)

What is the total amount of customer deposits collected? Amount: \$ \_\_\_\_\_ for 19 \_\_\_\_\_

What is the total amount of bond held (if applicable)? Amount: \$ \_\_\_\_\_ Expires: \_\_\_\_\_

### 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. \_\_\_\_\_

**COMPANY IDENTIFICATION**

Printed on 03/31/2003 at 11:41:30 by PJI

Complete Name: Executive Business Centers, Inc.

Mailing Name: Executive Business Centers, Inc.

Company Code: TJ008                      FEID Number: 58-1933334

**RAF ACCOUNT FOR THE PERIOD 01/01/2000 THROUGH 12/31/2000**

Reg. Date: 01/01/1998                      Inactive Date:  
 Service: IXC - Interexchange Telephone  
 Received: Actual RAF Form  
 Status: Pending  
 Amended: No                                  Extension: No  
 Frozen: No                                    Comments: No  
 Payment Count: 1 Payment Made to Date  
 Operating Rev: \$8,217.60                      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
<b>Total</b>	<b>\$53.00</b>	<b>\$50.00</b>	<b>\$3.00</b>

Last modification was made on Monday, February 19, 2001 at 10:39 AM by Jackie Knight

Period covered: 01/01/2000 through 12/31/2000                      RAF rate: 0.0015  
 Operating rev: \$8,217.60                      Interstate rev: \$0.00  
 Documents: Actual RAF form received on 01/31/2001  
                     RAF form mailed on 12/05/2000

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
01/31/2001	02/19/2001	02/19/2001-JIK	GH020	500000108	\$50.00
	RAF paid		GH020		\$50.00

**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.

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

**CERTIFIED MAIL**

State of Florida  
**Public Service Commission**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

2003 MAR 5 AM 10:17  
DIVISION OF  
COMPETITIVE SERVICES



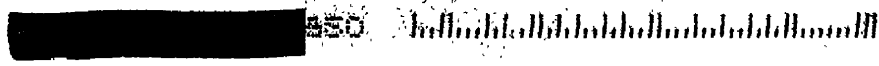
7002 0860 0001 1756 6391

NOT TO BE SENT FOR REASON SHOWN



February 19, 2003

TJ008-02-0-D  
Executive Business Centers, Inc.  
11465 Johns Creek Parkway, #300  
Duluth, GA 30097-1572





STATE OF FLORIDA

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



OFFICE OF GENERAL COUNSEL  
HAROLD A. MCLEAN  
(850) 413-6199

## Public Service Commission

February 19, 2003

TJ008-02-0-D  
Executive Business Centers, Inc.  
11465 Johns Creek Parkway, #300  
Duluth, GA 30097-1572

Dear Certificate Holder:

The Division of the Commission's Clerk and Administrative Services has forwarded your account to our office to address the nonpayment of the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 2002, which was due January 30, 2003. The RAFs return form was mailed to you on December 15, 2002, and to date, Commission records reflect that payment has not been received.

According to Florida Law, you are required to add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof, beyond the due date, up to a maximum of 25% in addition to the delinquent amount due. In addition, pursuant to Section 364.285, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each offense, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 364.

Utilities are charged with knowledge of our rules and statutes. Moreover, it is general Commission practice that all utilities that apply for **Interexchange Telephone** certificate receive a copy of all applicable rules. Further, in accordance with Section 364.335, Florida Statutes, as part of the application process, utilities provide an affidavit indicating that they have read and understood the applicable rules.

If you wish to request another form, please contact Jackie Knight at the number below. The payment should be identified with the company code and the company's name. Failure to provide payment within 15 days of this notice will result in the establishment of a docket to address your failure to return the RAFs form and pay RAFs in accordance with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. As specified above, pursuant to Section 364.285, Florida Statutes, the Commission may impose a fine or cancel your certificate. Therefore, it is important that you address this matter now.

If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions concerning this letter please contact Jackie Knight at (850) 413-6267 or via Internet e-mail at [jknight@psc.state.fl.us](mailto:jknight@psc.state.fl.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "H. McLean".

Harold McLean  
General Counsel

KMP

Enclosure

cc: Jackie Knight, Bureau of Administrative Services/Fiscal Services Section

## MCD Company Information for TJ008

Printed on 08/05/2003 at 10:41:43 by PJI

Company Code: TJ008  
Complete Name: Executive Business Centers, Inc.  
Mailing Name: Executive Business Centers, Inc.  
Certificate No(s): 5272  
Status: Active  
Regulation Date: 01/01/1998  
Bankruptcy: No  
Company Liaison #1: Mike Dye  
Title: Executive Vice President  
Mailing Address: 11465 Johns Creek Parkway, #300

Physical Location: Duluth, GA 30097-1572  
4190 Belfort Road, Suite 200

Phone: Jacksonville, FL 32216-1459  
(770) 814-4300  
Fax: (770) 814-4301

### Related Dockets:

971010-TI Application for certificate to provide interexchange telecommunications service by Executive Business Centers, Inc.

001283-TI Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 5272 issued to Executive Business Centers, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

**COMPANY IDENTIFICATION**

Printed on 03/31/2003 at 11:41:30 by PJI

Complete Name: Executive Business Centers, Inc.

Mailing Name: Executive Business Centers, Inc.

Company Code: TJ008                      FEID Number: 58-1933334

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 Amended: No                      Extension: No  
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Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$53.00</b>	<b>\$50.00</b>	<b>\$3.00</b>

Last modification was made on Monday, February 19, 2001 at 10:39 AM by Jackie Knight

Period covered: 01/01/2000 through 12/31/2000                      RAF rate: 0.0015  
 Operating rev: \$8,217.60                      Interstate rev: \$0.00  
 Documents: Actual RAF form received on 01/31/2001  
                     RAF form mailed on 12/05/2000

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
01/31/2001	02/19/2001	02/19/2001-JIK	GH020	500000108	\$50.00
	RAF paid		GH020		\$50.00

**COMPANY IDENTIFICATION**

Printed on 03/31/2003 at 11:41:39 by PJI

Complete Name: Executive Business Centers, Inc.

Mailing Name: Executive Business Centers, Inc.

Company Code: TJ008                      FEID Number: 58-1933334

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

Reg. Date: 01/01/1998                      Inactive Date:  
 Service: IXC - Interexchange Telephone  
 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
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Last modification was made on Thursday, December 5, 2002 at 9:49 AM by Jackie Knight

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