

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

<b>Date</b>	<b>August 5, 2003</b>	<b>Docket No.</b>	<b>030763-T1</b>
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<b>1. Division Name/Staff Name:</b>	<b>Division of Competitive Markets &amp; Enforcement/Isler</b>
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<b>2. OPR:</b>	<b>Division of Competitive Markets &amp; Enforcement</b>
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<b>3. OCR:</b>	<b>Office of the General Counsel</b>
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<b>4. Suggested Docket Title:</b>	<b>Imposition of penalty by Florida Public Service Commission against IXC</b>
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**Registration No. TJ133, issued to Communitel, 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  
**07131 AUG-5 8**  
FPSC-COMMUNICATIONS CLERK

TRANSMISSION VERIFICATION REPORT

TIME : 07/10/2003 10:49  
NAME :  
FAX :  
TEL :

DATE, TIME	07/10 10:48
FAX NO./NAME	613052206922
DURATION	00:00:27
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

*faxed  
1) cover sheet*

July 10, 2003

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

TO:

Elso Palaez-Lopez

VOICE: (305) 220-6966  
FAX: (305) 220-6922

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:

Communitel, Inc. (TJ133)

Dear Mr. Palaez-Lopez:

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 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 \$65.50.**

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



# 357  
DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

April 28, 2003

Mr. Elso Palaez-Lopez, CEO  
Communitel, Inc. (TJ133)  
11890 SW 8<sup>th</sup> Street, Suite 212  
Miami, FL 33184-1727

Dear Mr. Palaez-Lopez:

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.

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. 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 25-24.474, 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

**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)

TJ133-02-0-R  
 Communitel, Inc.  
 11890 S.W. 8th Street, Suite 212  
 Miami, FL 33184-1727  
 CC: P. Isler

**FOR PSC USE ONLY**

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

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

\$ \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 004011

\$ \_\_\_\_\_ 1

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.	<b>TOTAL Telephone Services</b>	\$ _____	_____
7.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	( _____ )	_____
8.	<b>TOTAL REVENUES For Regulatory Assessment Fee Calculation</b>	_____	_____
9.	<b>Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)</b>	_____	_____
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.	<b>TOTAL AMOUNT DUE</b>	_____	_____

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

**AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$500**

**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. \_\_\_\_\_

### **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.

**SENDER: COMPLETE THIS SECTION**

- 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:

TJ133 Communitel, Inc.  
11890 S.W. 8th Street, Suite 212  
Miami, FL 33184-1727

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (*Please Print Clearly*)

B. Date of Delivery

2/24/3

C. Signature

x Michael Hernandez

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 1756 2577

## MCD Company Information for TJ133

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

Company Code:	TJ133
Complete Name:	Communitel, Inc.
Mailing Name:	Communitel, Inc.
Certificate No(s):	5690
Status:	Active
Regulation Date:	09/15/1998
Bankruptcy:	No
Company Liaison #1:	Elsa Palaez-Lopez
Title:	CEO
Mailing Address:	11890 S.W. 8th Street, Suite 212
	Miami, FL 33184-1727
Physical Location:	11890 S.W. 8th Street, Suite 212
	Miami, FL 33184-1727
Phone:	(305) 220-6966
Fax:	(305) 220-6922
Related Dockets:	
980745-TI	Application for certificate to provide interexchange telecommunications service by Communitel, Inc.



**COMPANY IDENTIFICATION**

Printed on 03/31/2003 at 11:48:54 by PJI

Complete Name: Communitel, Inc.

Mailing Name: Communitel, Inc.

Company Code: TJ133                      FEID Number:

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

Reg. Date: 09/15/1998                      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