

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

<b>Date</b>	August 6, 2003	<b>Docket No.</b>	030771-71
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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 penalties by Florida Public Service Commission against IXC Registration No. TJ281, issued to Comtel Network LLC, for violation of Sections 363.336, Florida Statutes, and 364.02, Florida Statutes.
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**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):**

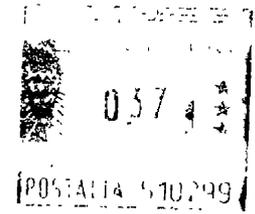

**6. Check one:**

**Documentation is attached.**

**Documentation will be provided with recommendation.**

DOCUMENT NUMBER DATE  
07230 AUG-7 8  
FPSC-COMMISSION CLERK

State of Florida  
**Public Service Commission**  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



TJ281  
Pat Martin  
Managing Member  
Comtel Network LLC  
670 East Bu  
Fresno, CA

COMT670 937102036 1202 09 05/02/03  
FORWARD TIME EXP RTN TO SEND  
:COMTEL NETWORK LLC  
5413 N FRUIT AVE  
FRESNO CA 93711-3027

32349+0850 87



May 12, 2003

**STATE OF FLORIDA**



**PUBLIC SERVICE COMMISSION**

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

**TO:**

Pat Martin

VOICE: ()  
FAX: ()

**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:**

Comtel Network LLC (TJ281)

Dear Mr. Martin:

The USPS recently returned mail that was addressed to your company at 670 E. Bullard Avenue, Suite 103, Fresno, CA 93710-5455, stamped "forward time expired." Although the USPS did not forward the mail on, it did provide a new address of 5413 N. Fruit Avenue, Fresno, CA 93711-3027. Therefore, I am remailing my April 28<sup>th</sup> letter to you.

Commission rules provide that telecommunications' companies must provide the Commission with updated reporting requirements -- liaison, title, addresses (mailing and physical), and telephone numbers. When you send in the Regulatory Assessment Fee return and payment, please provide the Commission with the company's updated reporting requirements.

Let me know if you have any questions. Thanks,

Paula Isler

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

STATE OF FLORIDA



# 370  
DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

April 28, 2003

Mr. Pat Martin, Managing Member  
Comtel Network LLC (TJ281)  
670 East Bullard Avenue, Suite 103  
Fresno, CA 93710-5455

Dear Mr. Martin:

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,

Handwritten signature of Paula J. Isler in black ink.

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)

TJ281-02-0-R  
 Comtel Network LLC  
 670 East Bullard Avenue, Suite 103  
 Fresno, CA 93710-5455  
 CC: P. Isler

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY	
Check#	_____
\$ _____	0603001 003001
\$ _____	0603001 004011
Postmark Date	_____
Initials of Preparer	_____

\_\_\_\_\_  
 (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 \$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?      What is the total amount of bond held (if applicable)?  
 Amount: \$ \_\_\_\_\_ for 19 \_\_\_\_\_      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 04/28/2003 at 09:42:31 by PJI

Complete Name: Comtel Network LLC

Mailing Name: Comtel Network LLC

Company Code: TJ281                      FEID Number: 77-0492271

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

Reg. Date:	10/15/1999	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:	\$15,122.00	Interstate Rev:	\$204,992.00
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 Tuesday, February 12, 2002 at 3:42 PM by Jackie Knight

**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.

State of Florida



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

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**DATE:** April 14, 2003  
**TO:** Paula Isler, Division of Competitive Markets and Enforcement  
**FROM:** Sandy Moses, Division of the Commission Clerk and Administrative Services *SM*  
**RE:** Returned Mail - Comtel Network, LLC, Company Code TJ281 ✓

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Mail addressed to the organization at the address shown below has been returned to the Commission by the U.S. Postal Service for the reason indicated on the attached copy of the envelope. Staff in the Hearing Services Section has confirmed that the address matches that in the Master Commission Directory. Attempts to contact the company by telephone and e-mail have been unsuccessful.

Comtel Network LLC  
670 East Bullard Avenue, Suite 103  
Fresno, CA 93710-5455

If you are successful in contacting the company, please furnish current mailing and location addresses, as well as any other updated MCD information you obtain. Thank you for assisting this division in maintaining current information in the Master Commission Directory.

SM/LKF  
Attachment

RECEIVED  
APR 14 2003

6:11 PM '03

Florida Public Service Commission  
Bureau of Records and Hearing Services  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

TJ281



001357-TI - closed  
(to Cancel Cert)  
Settlement Reached.

RECEIVED-FPSC

03 APR -2 AM 11:19

COMMISSION  
CLERK

Pat Martin, Missing Member  
559-261-0125 - not in service  
no listing

Comtel Network LLC  
670 East Bullard Avenue, Suite 103  
Fresno CA 93710-5455

Email sent 3/28/03 - No Response

COMT670 937102035 202 10 03/24/03  
FORWARD TIME EXP RTN TO SEND  
:COMTEL NETWORK LLC  
5413 N FRUIT AVE  
FRESNO CA 93711-3027

RETURN TO SENDER



COMPANY IDENTIFICATION

Printed on 03/26/2003 at 13:56:09 by MLF

Complete Name: Comtel Network LLC

Mailing Name: Comtel Network LLC

Company Code: TJ281 FEID Number: 77-0492271

MAILING INFORMATION

Attention:

Address Line 1: 670 East Bullard Avenue, Suite 103

Address Line 2:

City: Fresno State: CA Zip Code: 93710-5455

E-mail Address: PMartin@contactmail.com

Web Address:

*no response*

Liaison 1: Pat Martin

Liaison 2: Monica R. Borne

Title: Managing Member

Title: Attorney - Tariff

Phone: (559) 261-0125 - *no longer in serv. via new listing in this area code*

Phone: (504) 832-1984

E-mail: PMartin@contactmail.com

E-mail:

Fax 1: (559) 261-2830

Fax 2: (504) 831-0892

County:

*888 305 3765  
Cust. Serv. #*

*Left message for*

*Monica Borne  
says she has not  
done work for them  
in a couple of yrs  
she has same info  
we have plus the  
customer service  
no.*

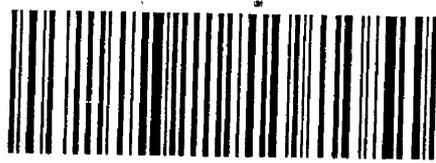
*Friday*

State of Florida  
**Public Service Commiss**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

2003 FEB 19 10 51 AM  
DIVISION OF  
COMPETITIVE SERVICES

TJ281-02-0-D  
Comtel Network LLC  
670 East Bullard Avenue, Suite 103  
Fresno, CA 93710-5455



7002 0860 0001 1756 3352

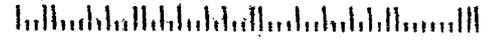


February 19, 2003



COMT670 937102034 1202 08 02/27/03  
FORWARD TIME EXP RTN TO SEND  
:COMTEL NETWORK LLC  
5413 N FRUIT AVE  
FRESNO CA 93711-3027

93710+5455 0860





## MCD Company Information for TJ281

Printed on 08/06/2003 at 09:52:48 by BHB

Company Code: TJ281  
Complete Name: Comtel Network LLC  
Mailing Name: Comtel Network LLC  
Certificate No(s): 7159  
Status: Active  
Regulation Date: 10/15/1999  
Bankruptcy: No  
Company Liaison #1: Pat Martin  
Title: Managing Member  
Mailing Address: 670 East Bullard Avenue, Suite 103

Physical Location: Fresno, CA 93710-5455  
670 East Bullard Avenue, Suite 103

Phone: Fresno, CA 93710-5455  
(559) 261-0125  
Fax: (559) 261-2830

### Related Dockets:

990857-TI

Application for certificate to provide interexchange telecommunications service by Comtel Network LLC.

001357-TI

Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 7159 issued to Comtel Network LLC for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

**COMPANY IDENTIFICATION**

Printed on 04/15/2003 at 13:56:17 by PJI

Complete Name: Comtel Network LLC

Mailing Name: Comtel Network LLC

Company Code: TJ281                      FEID Number: 77-0492271

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

Reg. Date: 10/15/1999                      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 9:51 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