

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date	August 8, 2003	Docket No.	030709-T1
1. Division Name/Staff Name:	Division of Competitive Markets & Enforcement/Isler		
2. OPR:	Division of Competitive Markets & Enforcement/Isler		
3. OCR:	Office of the General Counsel		
4. Suggested Docket Title:	Imposition of penalty by Florida Public Service Commission against IXC		
Registration No.	TJ449, issued to Norbel Telecom, Inc., for violation of Section 367.336, 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:			
<input checked="" type="checkbox"/>	Documentation is attached.		
<input type="checkbox"/>	Documentation will be provided with recommendation.		
PSC\CCA010-C (Rev 02/02)			

DOCUMENT NUMBER-DATE

07336 AUG 11 03

FPSC-COMMISSION CLERK

STATE OF FLORIDA

387

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



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

Public Service Commission

May 14, 2003

Mr. Benedicto M. Yllana, President and CEO
Norbel Telecom, Inc. (TJ449)
PO Box 851174
Richardson, TX 75085-1174

Dear Mr. Yllana:

On April 1, 2003, the Commission received your March 27th letter advising Norbel had ceased operations in the 1st quarter of 2003. On April 4th, I wrote you and explained that in order to be granted a voluntary cancellation, Norbel had to pay the 2002 and 2003 Regulatory Assessment Fees, plus the statutory penalty and interest charges for 2002. As of this date, the Commission has not heard from you.

Yesterday, May 13, 2003, I attempted to call you several times at 972-437-5626, but got a busy signal every time I called. I then attempted to fax you at 972-437-5035, but there was no answer (tried several times).

As I explained in my April 4th letter, the alternative to a voluntary cancellation is an involuntary cancellation. In that case, Norbel's certificate will be cancelled on the Commission's own motion and any unpaid fees, including penalty and interest charges, will be turned over to collections. Therefore, if I do not hear from you by May 30, 2003, I will have no choice but to open a docket to cancel Norbel's certificate involuntarily.

Sincerely,

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

Paula J. Isler, Research Assistant
Bureau of Service Quality

STATE OF FLORIDA

386

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Public Service Commission

April 4, 2003

Mr. Benedicto M. Yllana, President/CEO
Norbel Telecom, Inc. (TJ449)
PO Box 851174
Richardson, TX 75085-1174

Dear Mr. Yllana:

On April 1, 2003, the Commission received your letter dated March 27th advising that the company had ceased operations during the first quarter of 2003. This appears to be a request for cancellation of your certificate. If it is a request for cancellation, it should be noted that there are two kinds of cancellations. The first is voluntary, which is normally granted if the company is in good standing with the Commission and does not have a past due balance of the Regulatory Assessment Fee, including statutory penalty and interest charges. The other is involuntary. If a company is not in good standing and has an outstanding balance of the Regulatory Assessment Fee, the Commission normally cancels the certificate on its own motion for a rule violation. Any balance owed is forwarded to the Comptroller's Office for collection.

The Regulatory Assessment Fee is assessed if a certificate is active for any one day during a calendar year and is due by January 30 of each year, unless the 30th falls on a weekend, then the fee is due by the next working day, for the previous year. If payment for the Regulatory Assessment Fee is mailed after the due date, then statutory penalty and interest charges are applicable.

According to Commission records, your company has not paid the 2002 Regulatory Assessment Fee, which was due January 30, 2003. Since payment was not made timely, statutory penalty and interest charges are applicable. The 2002 Regulatory Assessment Fee return form is attached.

The effective date of a voluntary cancellation is the date that the Commission received a company's request for cancellation. In this case, the Commission did not receive your request until April 1, 2003, therefore, the company will owe the 2003 Regulatory Assessment Fee, even if the company is no longer in business or, in fact, never started operations. Rule 25-24.474(2)(a-d), Florida Administrative Code, provides that a company requesting voluntary cancellation must either pay the current year's (2003) Regulatory Assessment Fee or provide a date certain that it will be paid, such as within 30 days after the Commission Order is issued granting the voluntary cancellation. The 2003 Regulatory Assessment Fee return form is also attached.

Mr. Benedicto M. Yllana, President/CEO

Page 2

April 4, 2003

If the company had no revenues, Norbel Telecom owes only the minimum. For the year 2002, the company would owe \$59.00 (\$50.00 fee, \$7.50 penalty, and \$1.50 interest), and \$50.00 for 2003, for a **grand total of \$109.00**.

Therefore, based on the above information, I cannot recommend a voluntary cancellation of your certificate unless the past due balance is paid. Please respond in writing by April 21, 2003, and let me know how you wish to proceed. In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, by internet e-mail at pisler@psc.state.fl.us, or at the address below.

Sincerely,



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

TJ449-02-0-R
 Norbel Telecom, Inc.
 1205 Executive Drive East
 Richardson, TX 75081-2228

cc: P. Isler

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

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. _____

Interexchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:

01/01/2003 TO 12/31/2003

Florida Public Service Commission

(See Filing Instructions on Back of Form)

TJ449-03-0-R
 Norbel Telecom, Inc.
 1205 Executive Drive East
 Richardson, TX 75081-2228

cc: P. Isler

FOR PSC USE ONLY

Check# _____

\$ _____ 0603001
 _____ 003001

\$ _____ P
 _____ 0603001
 _____ 004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

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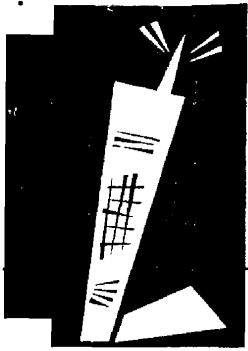
I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in 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. _____

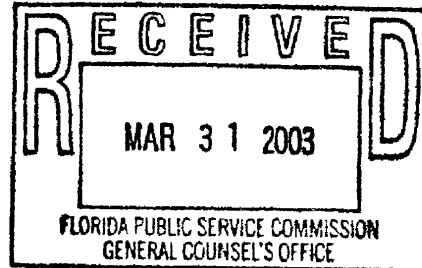


NORBEL

TELECOM INC.

March 27, 2003

Hon. Harold McLean
General Counsel
Public Service Commission
State of Florida
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



Subject : TJ449-02-0-D

Dear Sir,

This is in reply to your letter of February 19, 2003 regarding our nonpayment of the regulatory Assessment Fee 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.

For the information of Florida Public Service Commission, Norbel Telecom, Inc. ceased its operations during the 1st Quarter of 2003. The major funding that we had been waiting for over 18 months had not materialized. We were not able to offer our products in the State of Florida.

We sincerely apologize for this delayed notification.

Respectfully yours,


BENEDICTO M. YLLANA
President/CEO

Note: Our new temporary mailing address is :

P. O. Box 851174
Richardson, Texas 75085-1174

COMPLIANCE SERVICES
2003 APR 11 PM 10:05

CCA Official Filing:

4/1/03***2:20 PM*****Kay Flynn*****1**

Kay Flynn

From: Paula Isler
Sent: Tuesday, April 01, 2003 2:10 PM
To: Kay Flynn
Subject: RE: Norbel Telecom Inc. (TJ449)

OK, thanks.

-----Original Message-----

From: Kay Flynn
Sent: Tuesday, April 01, 2003 2:09 PM
To: Paula Isler
Subject: RE: Norbel Telecom Inc. (TJ449)

Okay.

Letter is DN 03024-03 and it will be in undocketed in CMS shortly.

Thanks.

-----Original Message-----

From: Paula Isler
Sent: Tuesday, April 01, 2003 2:08 PM
To: Kay Flynn
Subject: RE: Norbel Telecom Inc. (TJ449)

No. I need to contact them.

-----Original Message-----

From: Kay Flynn
Sent: Tuesday, April 01, 2003 2:05 PM
To: Paula Isler
Subject: Norbel Telecom Inc. (TJ449)

Paula -

We received a letter today from Benedictor M. Yllana, pres/CEO of this company saying they ceased operations 1st quarter of 2003. They don't mention RAFs. Should we open a docket to cancel?

Kay

MCD Company Information for TJ449

Printed on 08/08/2003 at 16:13:19 by PJI

Company Code:	TJ449
Complete Name:	Norbel Telecom, Inc.
Mailing Name:	Norbel Telecom, Inc.
Certificate No(s):	7677
Status:	Active
Regulation Date:	01/08/2001
Bankruptcy:	No
Company Liaison #1:	Virgilio Yllana
Title:	Chief Financial Officer
Mailing Address:	1205 Executive Drive East Richardson, TX 75081-2228
Physical Location:	1205 Executive Drive East Richardson, TX 75081-2228
Phone:	(972) 437-5626
Fax:	(972) 437-5035
Related Dockets:	
001193-TI	Application for certificate to provide interexchange telecommunications service by Norbel Telecom, Inc.

COMPANY IDENTIFICATION

Printed on 04/04/2003 at 09:45:57 by PJI

Complete Name: Norbel Telecom, Inc.

Mailing Name: Norbel Telecom, Inc.

Company Code: TJ449 FEID Number: 75-2877649

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

Reg. Date: 01/08/2001 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
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Thursday, December 5, 2002 at 9:53 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