

ORIGINAL

Records
Paula

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of CLEC Certificate No. 7126 issued to Sun-Tel USA, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 030622-TX

0431 FEB 10 2004

In re: Cancellation by Florida Public Service Commission of CLEC Certificate No. 8179 issued to BullsEye Telecom, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 030665-TX

ORDER NO. PSC-04-0097-AS-TX

ISSUED: January 27, 2004

CK # 009269
CK \$ 100.00
2-5-04

The following Commissioners participated in the disposition of this matter:

RT

BRAULIO L. BAEZ, Chairman
J. TERRY DEASON
LILA A. JABER
RUDOLPH RUDY BRADLEY
CHARLES M. DAVIDSON

ORDER APPROVING SETTLEMENTS

BY THE COMMISSION

RECEIVED PSC
04 FEB 10 PM 2:05
COMMISSION CLERK

The Division of the Commission Clerk and Administrative Services advised our staff that the entities listed below had not paid the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year(s) specified below. Also, accrued statutory penalties and interest charges for late RAFs payments for the year(s) specified below had not been paid. The entities listed below were scheduled to remit their respective RAFs by January 30, 2003.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAFs of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. Pursuant to Section 350.113(4), Florida Statutes, the RAFs forms, for the period of January 1, through December 31, are mailed to entities at least 45 days prior to the date that payment of the fee is due. All entities

- US _____
- AF _____
- MP _____
- OM _____
- TR _____
- CR _____
- CL _____
- PC _____
- MS _____
- EC I
- TH _____

DOCUMENT NUMBER-DATE

01888 FEB 10 04

FPSC-COMMISSION CLERK

ORDER NO. PSC-04-0097-AS-TX
 DOCKET NOS.: 030622-TX, 030665-TX
 PAGE 2

that apply for certification receive a copy of our rules governing Competitive Local Exchange service.

| <u>ENTITY'S NAME</u> | <u>CERTIFICATE NO.</u> | <u>PAST DUE RAFS</u> | <u>PAST DUE PENALTIES AND INTEREST</u> |
|------------------------|------------------------|----------------------|--|
| Sun-Tel USA, Inc. | 7126 | 2002 | 2002 |
| BullsEye Telecom, Inc. | 8179 | 2002 | 2002 |

After these dockets were established, each of the entities contacted our staff, paid the past due amounts in full, and proposed a settlement offer. Each of the entities proposed to pay future RAfs in a timely manner, and contribute \$100 to the State General Revenue Fund.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offers. Each of the entities must comply with these requirements within 14 days from the date of issuance of this Order. The contribution should be identified with the docket number and the entity's name. Upon timely receipt, the contributions will be forwarded to the Department of Financial Services for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Each entity has waived any objection to the administrative cancellation of its certificate if it does not comply with its settlement agreement. Upon remittance of each of the \$100 contribution or cancellation of the respective certificate, each docket shall be closed. If an entity's certificate is cancelled in accordance with this Order, that entity shall immediately cease and desist providing Competitive Local Exchange services in Florida. We are vested with jurisdiction over this matter pursuant to Sections 364.336, and 364.285, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that each of the entities' settlement proposal set forth in the body of this Order is hereby approved. It is further

ORDER that each settlement amount must be received within 14 days of the issuance of this Order. It is further

ORDERED that each docket shall remain open pending timely receipt of the \$100 contribution. The contributions will be transmitted to the Department of Financial Services for deposit in the State of Florida General Revenue Fund. It is further