

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

|             |             |                   |           |
|-------------|-------------|-------------------|-----------|
| <b>Date</b> | May 4, 2004 | <b>Docket No.</b> | 040403-TC |
|-------------|-------------|-------------------|-----------|

|                                     |   |
|-------------------------------------|---|
| <b>1. Division Name/Staff Name:</b> | Division of Competitive Markets & Enforcement/Isler |
|-------------------------------------|---|

|                |   |
|----------------|---|
| <b>2. OPR:</b> | Division of Competitive Markets & Enforcement |
|----------------|---|

|                |                               |
|----------------|-------------------------------|
| <b>3. OCR:</b> | Office of the General Counsel |
|----------------|-------------------------------|

|                                   |   |
|-----------------------------------|---|
| <b>4. Suggested Docket Title:</b> | Cancellation by Florida Public Service Commission of PATS Certificate No. 6006 issued to Daytona Telephone Company, for violation of Rule 25 <sup>-4</sup> .0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. |
|-----------------------------------|---|

**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:**

XX Documentation is attached.

Documentation will be provided with recommendation.

TRANSMISSION VERIFICATION REPORT

TIME : 03/11/2004 13:13  
NAME : PSC  
FAX : 4137077  
TEL : 4137077

|                |                 |
|----------------|-----------------|
| DATE, TIME     | 03/11 13:12     |
| FAX NO. / NAME | 619013857020    |
| DURATION       | 00:00:32        |
| PAGE(S)        | 01              |
| RESULT         | OK              |
| MODE           | STANDARD<br>ECM |

*Jaxed  
1 cover sheet*

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

March 11, 2004, 12:07 PM

To: Michael D. Boger, Sr.

Fax: 901-385-7020

From: Paula Isler

Voice: 850-413-6502

Fax: 850-413-6503

Re:

Daytona Telephone Company (TG479)

Dear Mr. Boger:

This is a follow up to my February 5, 2004 letter concerning the 2003 Regulatory Assessment Fee. As of this date, the Commission has not received the company's payment nor letter specifically requesting cancellation of Daytona Telephone Company's payphone certificate.

Since payment was not received timely, the company now owes \$5 penalty and \$1 interest, for a total of \$56 for the 2003 fee and \$50 for the 2004 fee, for a total of \$106. As information, the penalty and interest charges continue to accrue until the fee is paid. In addition, a docket to grant the company a voluntary cancellation cannot be opened until the company complies with the cancellation rule.

Please let me know by March 30th how the company wishes to proceed. Thanks.

STATE OF FLORIDA

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



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

## Public Service Commission

February 5, 2004

Mr. Michael D. Boger, Sr., President/CEO  
Daytona Telephone Company (TG479)  
PO Box 34668  
Memphis, TN 38184-0668

Dear Mr. Boger:

On February 2, 2004, the Commission received your 2003 Regulatory Assessment Fee return form, along with a letter advising Daytona Telephone Company merged into Advantage Group of Florida Communications, LLC in January 2001. Payment for the 2003 Regulatory Assessment Fee was not included. It appears you are requesting cancellation of Daytona's pay telephone certificate.

The Regulatory Assessment Fee is assessed if a certificate is active for any one day during a calendar year, even if a company had no revenues or ever started operations during the period covered. If you are requesting cancellation of Daytona Telephone Company's certificate, this means that since you did not request cancellation of your certificate in 2003, the company owes the 2003 and 2004 Regulatory Assessment Fees.

I researched Commission records, but could not find a previous letter requesting cancellation of your certificate. I reviewed a May 21, 2001 letter from R. Nash Neyland, an attorney with Copeland, Cook, Taylor & Bush, copy attached, but could not find a reference to a request for cancellation. In addition, I reviewed Daytona's 2001 Regulatory Assessment Fee return form, postmarked December 31, 2001, and the 2002 Regulatory Assessment Fee return form, postmarked January 28, 2003, and although both show no revenues, there was not a note or letter attached indicating the company wished to cancel its certificate.

Therefore, if you are requesting cancellation of your certificate, you need to write the Commission a letter and specifically request cancellation. Your letter should include payment of the minimum \$50.00 2003 fee, the \$3.00 late payment charges, the completed 2003 Regulatory Assessment Fee return form, the minimum \$50.00 2004 fee, and the completed 2004 Regulatory Assessment Fee return. The total due is \$103 if payment is postmarked between January 31<sup>st</sup> and February 29<sup>th</sup>.

Mr. Michael D. Boger, Sr., President/CEO  
Page 2  
Thursday, February 05, 2004

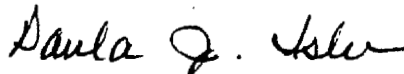
Enclosed are the following:

- May 21, 2001 letter from R. Nash Neyland
- 2003 Regulatory Assessment Fee return form
- 2004 Regulatory Assessment Fee return form
- Rule 25-24.514, Florida Administrative Code

When returning payment along with the completed 2003 and 2004 Regulatory Assessment Fee return forms and your letter requesting cancellation of your certificate, please use the enclosed blue envelope, which will insure prompt processing.

In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-phone, (850) 413-6503-fax, by internet e-mail at [PIsler@psc.state.fl.us](mailto:PIsler@psc.state.fl.us), or at the address at the bottom of Page One.

Sincerely,



Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

COPELAND, COOK, TAYLOR & BUSH

A PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

MAILING ADDRESS

JACKSON OFFICE

THE PLAZA BUILDING  
120 N. CONGRESS ST., SUITE 1000  
JACKSON, MISSISSIPPI 39201

POST OFFICE BOX 6020  
RIDGELAND, MISSISSIPPI 39158-6020

TELEPHONE (601) 856-7200  
FACSIMILE (601) 856-7826

RIDGELAND OFFICE

200 CONCOURSE, SUITE 200  
1062 HIGHLAND COLONY PKWY.  
RIDGELAND, MISSISSIPPI 39157

May 21, 2001

010773-TC

VIA FEDERAL EXPRESS (850) 413-6770  
Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Check received with filing and  
forwarded to Fiscal for deposit.  
Fiscal to forward a copy of check  
to RAR with proof of deposit.  
Initials of person who forwarded check

RE: Application Form for Authority to Provide Pay Telephone Service within the  
State of Florida for Advantage Group of Florida Communications, LLP

Dear Sirs:

Enclosed are one original executed and two copies of the Application Form for Authority to Provide Pay Telephone Service within the State of Florida for Advantage Group of Florida Communications, LLP ("Advantage Group") as well as a check for \$100 to cover the application fee.

Advantage Group has been formed in connection with reorganization of Daytona Telephone Company ("DTC") in a transaction in which the sole purpose was to convert the DTC entity from a corporation to a limited liability company, and to change its name.

DTC is qualified as a Pay Telephone Provider in Florida, Certificate # 6006 and IXE# 5796. Advantage Group will continue the pay telephone business of DTC. Advantage Group, due to the reorganization, has also applied to provide Alternative Local Exchange Service within the State of Florida and been assigned Docket #010266-TX.

As such, for all practical purposes Advantage Group is merely a continuation of the business of DTC. Therefor, information on file relative to DTC is applicable to Advantage Group. We request that this be scheduled and put on your consent agenda for consideration at the earliest practical time.

DOCUMENT NUMBER-DATE

06464 MAY 22 01

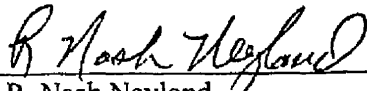
FPSO-RECORDS/REPORTING

Florida Public Service Commission  
May 21, 2001  
Page 2

If you have any questions or need any further information or documentation, please call the undersigned at (601) 856-7200.

Sincerely yours,

COPELAND, COOK, TAYLOR & BUSH, P.A.

By:   
R. Nash Neyland

RNN/vyc

# Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission  
(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

TG479-03-0-R  
Daytona Telephone Company  
P. O. Box 34668  
Memphis, TN 38184-0668  
FEB -2 AM 11:51  
COMMISSION CLERK  
ADMINISTRATIVE SERVICES  
cc: P. Isler

| FOR PSC USE ONLY     |         |
|----------------------|---------|
| Check#               | _____   |
| \$                   | 0603002 |
|                      | 003001  |
| \$                   | P       |
|                      | 0603002 |
| \$                   | I       |
|                      | 004011  |
| Postmark Date        | _____   |
| Initials of Preparer | _____   |
| "                    | _____   |
| "                    | _____   |

PERIOD COVERED:  
01/01/2003 TO 12/31/2003

Please Complete Below If Official Mailing Address Has Changed

\_\_\_\_\_  
(Name of Company) (Address) (City/State) (Zip)

| LINE NO. | ACCOUNT CLASSIFICATION  | AMOUNT    |
|----------|---|-----------|
| 1.       | Gross Operating Revenue (Florida)   | \$ _____  |
| 2.       | Gross Intrastate Revenue  | _____     |
| 3.       | LESS: Amounts Paid to Other Telecommunications Companies*<br>(see "2. Fees" on back)    | ( _____ ) |
| 4.       | <b>TOTAL REVENUES for Regulatory Assessment Fee Calculation</b><br>(Line 2 less Line 3) | \$ _____  |
| 5.       | Regulatory Assessment Fee Due – (Multiply Line 4 by 0.0015)                             | _____     |
| 6.       | Penalty for Late Payment (see "3. Failure to File by Due Date" on back)                 | _____     |
| 7.       | Interest for Late Payment (see "3. Failure to File by Due Date" on back)                | _____     |
| 8.       | <b>TOTAL AMOUNT DUE</b>   | \$ _____  |

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

**THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED**

9. Number of pay telephones in operation at close of period covered by this Return \_\_\_\_\_

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

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 official 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. \_\_\_\_\_



## Pay Telephone Service Provider Regulatory Assessment Fee Return

STATUS:

- Actual Return  
 Estimated Return  
 Amended Return

PERIOD COVERED:  
01/01/2004 TO 12/31/2004

Florida Public Service Commission

(See Filing Instructions on Back of Form)

TG479-04-0-R  
 Daytona Telephone Company  
 P. O. Box 34668  
 Memphis, TN 38184-0668  
 cc: P. Isler

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

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

\$ \_\_\_\_\_ 0603002  
 003001

\$ \_\_\_\_\_ P  
 0603002  
 004011

\$ \_\_\_\_\_ I

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

|                   |           |              |       |
|-------------------|-----------|--------------|-------|
| (Name of Company) | (Address) | (City/State) | (Zip) |
|-------------------|-----------|--------------|-------|

| LINE NO. | ACCOUNT CLASSIFICATION  | AMOUNT    |
|----------|---|-----------|
| 1.       | Gross Operating Revenue (Florida)   | \$ _____  |
| 2.       | Gross Intrastate Revenue  | _____     |
| 3.       | LESS: Amounts Paid to Other Telecommunications Companies*<br>(see "2. Fees" on back)    | ( _____ ) |
| 4.       | <b>TOTAL REVENUES for Regulatory Assessment Fee Calculation</b><br>(Line 2 less Line 3) | \$ _____  |
| 5.       | Regulatory Assessment Fee Due -- (Multiply Line 4 by 0.0015)                            | _____     |
| 6.       | Penalty for Late Payment (see "3. Failure to File by Due Date" on back)                 | _____     |
| 7.       | Interest for Late Payment (see "3. Failure to File by Due Date" on back)                | _____     |
| 8.       | <b>TOTAL AMOUNT DUE</b>   | \$ _____  |

**AS PROVIDED IN SECTION 364.336 FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50**  
**THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED**

9. Number of pay telephones in operation at close of period covered by this Return \_\_\_\_\_

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

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 official 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. _____           |                      |

**25-24.514 Cancellation of a Certificate.**

(1) The Commission may 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 rules or orders;
- (c) Violation of Florida Statutes; or,
- (d) Failure to provide service for a period of six (6) months.

(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.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority: 350.127(2), F. S.

Law Implemented: 350.113, 350.127(1), 364.03, 364.285, 364.337, 364.345, F.S.

History: New 1/5/87.

TG479-03-0-R

**ADVANTAGE GROUP, LLC**

Post Office Box 34668  
Memphis, TN 38184-0668

(901)384-9100  
(901)385-7020

06 FEB -2 AM 11:51

COMMISSION CLERK  
ADMINISTRATIVE SERVICES

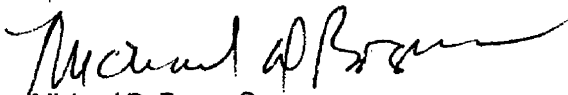
January 27, 2004

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0876  
Attn: Fiscal

Dear Sir or Madam:

Daytona Telephone Company (TG479-03-0-R) was merged with and into Advantage Group of Florida Communications, L.L.C. (TG819-03-0-R) as of January, 2001.

Sincerely,



Michael D. Boger, Sr.  
President / CEO

## Pay Telephone Service Provider 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)

TG479-02-0-R  
 Daytona Telephone Company  
 P. O. Box 34668  
 Memphis, TN 38184-0668  
 D3 05 FEB 06 2003

Please Complete Below If Official Mailing Address Has Changed

| FOR PSC USE ONLY     |               |
|----------------------|---------------|
| Check#               | 11496         |
| \$                   | 50.00 0603002 |
|                      | 003001        |
| \$                   | P 0603002     |
|                      | 004011        |
| \$                   | I             |
| Postmark Date        | 1-30-03       |
| Initials of Preparer | km            |

(Name of Company)

(Address)

(City/State)

(Zip)

| LINE NO. | ACCOUNT CLASSIFICATION  | AMOUNT   |
|----------|---|----------|
| 1.       | Gross Operating Revenue (Florida)   | \$ .00   |
| 2.       | Gross Intrastate Revenue  | .00      |
| 3.       | LESS: Amounts Paid to Other Telecommunications Companies*<br>(see "2. Fees" on back)    | (.00)    |
| 4.       | <b>TOTAL REVENUES for Regulatory Assessment Fee Calculation</b><br>(Line 2 less Line 3) | \$ .00   |
| 5.       | Regulatory Assessment Fee Due – (Multiply Line 4 by 0.0015)                             | .00      |
| 6.       | Penalty for Late Payment (see "3. Failure to File by Due Date" on back)                 | .00      |
| 7.       | Interest for Late Payment (see "3. Failure to File by Due Date" on back)                | .00      |
| 8.       | <b>TOTAL AMOUNT DUE</b>   | \$ 50.00 |

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

**THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED**

9. Number of pay telephones in operation at close of period covered by this Return

03 FEB - 3 AM '03  
 DISTRIBUTION CENTER

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

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 official duty shall be guilty of a misdemeanor of the second degree

Michael D. Brown Sr.  
 (Signature of Company Official)

President / CEO  
 (Title)

01-28-03  
 (Date)

Denise Mueller  
 (Preparer of Form - Please Print Name)

Telephone Number 901.384-9100 Fax Number 901.385-7020

F E I No 62-1746331

## Pay Telephone Service Provider Regulatory Assessment Fee Return

**STATUS:**

- Actual Return  
 Estimated Return  
 Amended Return

**PERIOD COVERED:**  
 01/01/2001 TO 12/31/2001

### Florida Public Service Commission

(See Filing Instructions on Back of Form)

|  |  |
|--|--|
| TG479-01-0-R<br>Daytona Telephone Company<br>P. O. Box 34668<br>Memphis, TN 38184-0668 | DEPOSIT DATE<br><b>D151</b> <b>JAN 04 2002</b> |
|--|--|

| FOR PSC USE ONLY               |             |
|--------------------------------|-------------|
| Check# <u>11130</u>            |             |
| \$ <u>50.00</u>                | 0603002     |
|                                | 003001      |
| \$ _____                       | P           |
|                                | 0603002     |
|                                | 004011      |
| \$ _____                       | 1           |
| Postmark Date <u>1/3/02</u>    | No postmark |
| Initials of Preparer <u>MC</u> |             |

Please Complete Below If Official Mailing Address Has Changed

|                   |           |              |       |
|-------------------|-----------|--------------|-------|
| (Name of Company) | (Address) | (City/State) | (Zip) |
|-------------------|-----------|--------------|-------|

| LINE NO. | ACCOUNT CLASSIFICATION  | AMOUNT                 |
|----------|---|------------------------|
| 1.       | Gross Operating Revenue (Florida)   | \$ <u>00</u>           |
| 2.       | Gross Intrastate Revenue  | <u>.00</u>             |
| 3.       | LESS: Amounts Paid to Other Telecommunications Companies*<br>(see "2. Fees" on back)    | <u>(.00)</u>           |
| 4.       | <b>TOTAL REVENUES for Regulatory Assessment Fee Calculation</b><br>(Line 2 less Line 3) | \$ <u>.00</u>          |
| 5.       | Regulatory Assessment Fee Due – (Multiply Line 4 by 0.0015)                             | <u>.00</u>             |
| 6.       | Penalty for Late Payment (see "3. Failure to File by Due Date" on back)                 | <u>.00</u>             |
| 7.       | Interest for Late Payment (see "3. Failure to File by Due Date" on back)                | <u>.00</u>             |
| 8.       | <b>TOTAL AMOUNT DUE</b>   | <b>\$ <u>50.00</u></b> |

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

**THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED**

9. Number of pay telephones in operation at close of period covered by this Return 0

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

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 official duty shall be guilty of a misdemeanor of the second degree.

|   |  |                              |
|---|--|------------------------------|
| _____<br>(Signature of Company Official)                          | President / C.E.O.<br>_____<br>(Title)                                   | 12/31/01<br>_____<br>(Date)  |
| Denise Mueller<br>_____<br>(Preparer of Form - Please Print Name) | Telephone Number <u>901</u> 384-9100      Fax Number <u>901</u> 385-7020 | F.E.I. No. <u>62-1766331</u> |

## MCD Company Information for TG479

Printed on 02/03/2004 at 13:51:49 by PJI

Company Code: TG479  
Complete Name: Daytona Telephone Company  
Mailing Name: Daytona Telephone Company  
Certificate No(s): 6006  
Status: Active  
Regulation Date: 03/02/1999  
Bankruptcy: No  
Company Liaison #1: Michael D. Boger, Sr.  
Title: President/CEO  
Mailing Address: P. O. Box 34668

Physical Location: Memphis, TN 38184-0668  
315 North Segrave

Phone: Daytona Beach, FL 32114-3142  
(901) 384-9100  
Fax: (901) 385-7020

### Related Dockets:

981876-TC

Application for certificate to provide pay telephone service by  
Daytona Telephone Company.