

Paula
Records



REGNUM GROUP, INC.
Regulatory & Communications Consultants
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ORIGINAL

DEPOSIT DATE

5 03 NOV - 2 2004

CK# 1335
CK \$ 100.00
10-29-04
RT

October 28, 2004
Paula Isler
Florida Public Service Commission
Division of Telecommunications
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Proposed Settlement for Docket No. 040931-TI for Xynergia, Inc.

Dear Ms. Isler

Please find enclosed two checks. A check in the amount of \$68.50 and the applicable completed Regulatory Assessment Fee document on behalf of Xynergia, Inc. ("Xynergia" or "the Company").

Please acknowledge receipt of this filing by returning, file-stamped, the extra copy of this cover letter in the self addressed stamped envelope provided for that purpose.

Xynergia, Inc. wishes to keep the Certificate active and in compliance with Commission rules. The Company apologizes for the oversight in filing this document. They feel it may have been misunderstood by their accounting firm. The Company has taken steps to prevent further late payments of the regulatory assessment fees including transferring these responsibilities to our regulatory consulting firm.

The Company agrees to waive any objection to the administrative cancellation of its certificate should Xynergia, Inc. fail to pay in accordance with its settlement offer. If, however, there is a factual dispute as to the manner or level of compliance with any provision of the settlement, Commission staff will bring the matter to the Commission for consideration.

Xynergia respectfully proposes to pay \$100 (enclosed) as a monetary settlement for the violation, should there be any additional payment required the balance will be paid within 10 business days after the Commission Order is issued.

Xynergia appreciates your consideration of this settlement offer, and, as always, please do not hesitate to contact Matthew Schulman at 305-468-1645 or emailed to reg@regnumgroup.com.

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Sincerely,

Matthew Schulman
Regulatory Consultant

NOV - 1 PM 3:00
COMMISSION CLERK

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK