

State of Florida



ORIGINAL

Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION CLERK

-M-E-M-O-R-A-N-D-U-M-

**DATE:** November 10, 2004

**TO:** Blanca S. Bayó, Commission Clerk and Administrative Services Director

**FROM:** Paula Isler, Research Assistant, Division of Competitive Markets & Enforcement *PI*

**RE:** Docket No. 040985-TI - EO Telecom of Florida, LLC

On November 1, 2004, the Commission received the attached settlement proposal dated October 22<sup>nd</sup> from Mr. Scott Burkholder, Managing Member. Mr. Burkholder proposed to pay future Regulatory Assessment Fees timely and requested that no monetary penalty be assessed. Since this letter came directly to staff, please document the settlement offer in Docket No. 040985-TI. Let me know if you have any questions.

cc: Office of the General Counsel (Rockette-Gray)

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
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DOCUMENT NUMBER-DATE  
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FPSC-COMMISSION CLERK

October 22, 2004

Paula Isler  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
RE: Docket No. 040985-T1

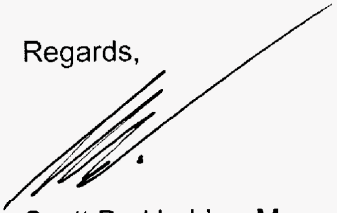


Dear Ms. Isler:

We understand that a docket (no. 040985-T1) has been opened because of our failure timely pay and file the appropriate 2003 RAF documents for our IXC certificate (TJ868-03-0-P) which has now been paid in full and the RAF return filed. The 2003 RAF was paid in full and the RAF return was filed for our CLEC certificate. Our failure to do so was the result of confusion between two sets of filings – IXC and CLEC – and now that we have been informed of the proper procedures, we fully understand that the Regulatory Assessment Fee (RAF) is due by January 30th of every year and we will comply with the RAF statute in the future.

Based on this I would respectfully request that no monetary penalty be assessed.

Regards,



Scott Burkholder, Managing Member  
EO Telecom of Florida, LLC