

REQUEST TO ESTABLISH DOCKET  
(Please Type)

Date November 16, 2004 Docket No. 1041315 -TI

1. Division Name/Staff Name: Division of Competitive Markets and Enforcement/Curry

2. OPR: Curry, CMP

3. OCR: GCO

4. Suggested Docket Title: Compliance Investigation of D.G.A. Telecom, Inc. for Apparent violation of Sections 364.02 and 364.04, 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):

Mr. Manuel J. Mari  
D.G.A. Telecom, Inc.  
250 Bird Road# 200  
Coral Gables, Florida 33146

2. Interested persons and their representatives (if any):

6. Check one:

Documentation is attached.

Documentation will be provided with recommendation.

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

October 12, 2004

Mr. Manuel J. Mari  
D.G.A. Telecom, Inc.  
250 Bird Road #200  
Coral Gables, Florida 33146

Certified Mail

Dear Mr. Mari:

The purpose of this letter is to provide D.G.A. Telecom, Inc. (D.G.A.) another opportunity to respond to staff's letter (Enclosure 1) dated September 13, 2004, regarding a complaint filed by Mr. Adel Hernandez. The deadline for you to reply was October 5, 2004. To date, our records indicated that D.G.A. has not responded. At this time, staff requests that you investigate Mr. Hernandez's complaint and submit a written response verifying that Mr. Hernandez has been contacted and that his complaint has been resolved. You may fax your response to me at (850) 413-6663, or you may respond by email to [kcurry@psc.state.fl.us](mailto:kcurry@psc.state.fl.us).

In addition, D.G.A. has not provided the Commission with the company's contact information. Section 364.02(13)(g), Florida Statutes (F.S.), requires each intrastate interexchange telecommunications company to provide the Commission with information to contact and communicate with the company. Please complete and submit the contact information requested on the enclosed IXC Registration form (Enclosure 2). Also, Section 364.04, F.S., requires that all telecommunications companies providing services within the state of Florida file a tariff with the Commission. The tariff should include the rates, tolls, rentals, contracts, and charges of the company for services to be performed within the state. A sample tariff and a tariff checklist are enclosed to assist you (Enclosure 3). Please submit the IXC Registration form and the tariff to the following address:

Florida Public Service Commission  
Division of the Commission Clerk & Administrative Services  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Mr. Manuel J. Mari  
Page 2  
October 12, 2004

Please understand that if D.G.A. fails to provide the Commission with the requested information it may be subject to a penalty as prescribed by Section 364.285, F.S., which states:

The commission shall have the power to impose upon any entity subject to its jurisdiction under this chapter which is found to have refused to comply with or to have willfully violated any lawful rule or order of the commission or any provision of this chapter a penalty for each offense of not more than \$25,000, which penalty shall be fixed, imposed, and collected by the commission; or the commission may, for any such violation, amend, suspend, or revoke any certificate issued by it. Each day that such refusal or violation continues constitutes a separate offense.

In conclusion, to avoid potential penalties the following information should be submitted to the Commission by **November 2, 2004**:

- 1) A written response to Mr. Hernandez's complaint
- 2) Completed IXC Registration Form and tariff

Sincerely,



Kiwanis L. Curry  
Bureau of Service Quality

Enclosures (3)


cc: Mr. Daniel Abreau

TMS #1682

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

  
 Mr. Manuel J. Mari  
 D.G.A. Telecom, Inc.  
 250 Bird Road, #200  
 Coral Gables, FL 33146

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *Samuel Hernandez* B. Date of Delivery *10/20/01*  
 C. Signature *x Samuel Hernandez*  Agent  Addressee  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type:  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. A *7002 0860 0001 1759 6572*  
(transfer from service label)

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-142

UNITED STATES POSTAL SERVICE



First-Class Mail  
 Postage & Fees Paid  
 USPS  
 Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Ms. Kiwanis Curry  
 Florida Public Service Commission  
 2540 Shumard Oak Blvd.  
 Tallahassee, FL 32399-0850

OCT 21 AM 10:47  
 COMMUNICATIVE SERVICES

01



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

STATE OF FLORIDA



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

## Public Service Commission

September 13, 2004

Mr. Manuel J. Mari  
D.G.A. Telecom, Inc.  
250 Bird Road #200  
Coral Gables, Florida 33146

Dear Mr. Mari:

Recently the Florida Public Service Commission received a complaint (Enclosure 1) regarding the purchase of a prepaid calling card titled "Galactica." The complaint was filed by Mr. Adel Hernandez. The network service provider listed on the card is D.G.A. Telecom (DGA). At this time, staff requests that you investigate this complaint, contact Mr. Hernandez, and submit a written response to his complaint. The response should verify that Mr. Hernandez was contacted and that his complaint has been resolved. You may fax your response to me at (850) 413-6663, or you may respond by email to [kcurry@psc.state.fl.us](mailto:kcurry@psc.state.fl.us).

In addition, DGA has not provided the Commission with the company's contact information. Section 364.02(13)(g), Florida Statutes (F.S.), requires each intrastate interexchange telecommunications company to provide the Commission with information to contact and communicate with the company. Please submit the contact information requested on the enclosed IXC Registration form (Enclosure 2). Also, Section 364.04, F.S., requires that all telecommunications companies providing services within the state for Florida file a tariff with the Commission. The tariff should include the rates, tolls, rentals, contracts, and charges of the company for the services to be performed within the state. A sample tariff and a tariff checklist are enclosed to assist you (Enclosure 3). Please submit the IXC Registration form and the tariff to the following address:

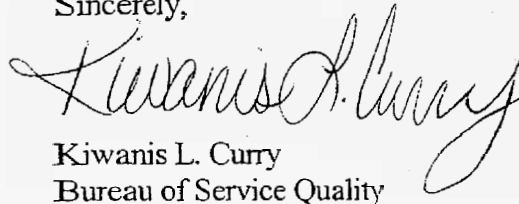
Florida Public Service Commission  
Division of the Commission Clerk & Administrative Services  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Mr. Manuel J. Mari  
Page 2  
September 13, 2004

In conclusion, the following information should be submitted by **October 5, 2004**:

- 1) A written response to Mr. Hernandez's complaint.
- 2) Completed IXC Registration form and tariff.

Sincerely,



Kiwanis L. Curry  
Bureau of Service Quality

Enclosures (3)

cc: Florida Department of Revenue

TMS #1615