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December 2, 2004

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Winter Park, FL
32789

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Winter Park, FL
32790-0200

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Ms. Blanca Bayo
Director, Division of Commission clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399- 850

RE: Phone1 Smart, LLC
TG879 and TX727
Docket Nos. 041049-TC and 040861-TX
CLEC and Payphone RAF Returns - Settlement Proposal

Dear Ms. Bayo:

Please accept this letter and one (1) copy as an official request, filed on behalf of Phone1 Smart, LLC, proposing a settlement regarding the company's Annual Regulatory Assessment Fee and Reports. The company has filed all of the required reports and fees and would now like to make a settlement offer to compensate for its failure to file in a timely manner.

Phone1Smart, LLC proposes a settlement of \$100 for each of the company codes and their respective certificates. I look forward to hearing from you regarding this request. The company has implemented a nationwide reporting calendar to ensure such timing problems do not happen in the future.

Phone1Smart, LLC agrees to waive any objection to the administrative cancellation of its certificate should it fail to pay in accordance with its settlement offer

Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided. Any questions you may have pertaining to this filing may be directed to me at (407) 740-8575 or via email at mbyrnes@tminc.com. Thank you for your assistance.

Sincerely,

Monique Byrnes
Monique Byrnes
Consultant to Phone1 Smart, LLC

cc: Paula Isler, FPSC
J. Leath, Phone1
file: Phone1 - FL

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Kim P.
12/03/04
Kim

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