



ORIGINAL

Public Service Commission

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COMMISSION CLERK

DATE: December 8, 2004

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

FROM: Beth W. Salak, Director, Division of Competitive Markets & Enforcement
Beth Keating, Attorney Supervisor, Office of the General Counsel *B/K*

RE: Closure of Docket No. 040129-TX - Compliance investigation of FLATEL, Inc. d/b/a Florida Telephone Company d/b/a Oscatel d/b/a Telephone USA for apparent violation of Rule 25-4.110(16), F.A.C., Customer Billing for Local Exchange Telecommunications Companies.

On February 10, 2004, Docket No. 040129-TX was established to address FLATEL, Inc. d/b/a Florida Telephone Company d/b/a Oscatel d/b/a Telephone USA's (FLATEL) apparent violation of Rule 25-4.110(16), F.A.C., Customer Billing for Local Exchange Telecommunications Companies. By Order No. PSC-04-0529-PAA-TX, issued May 24, 2004, the Commission accepted FLATEL's proposed settlement to resolve its apparent violations. FLATEL was ordered to notify all of its active customers by May 10, 2004, that a freeze may have been placed on the customer's line and to provide its customers with the option of keeping the freeze or having it removed. The Commission also ordered that FLATEL submit a detailed written report to staff, by August 9, 2004, demonstrating that the company had complied with the provisions of its proposed settlement. The Order became final and effective upon the issuance of Order No. PSC-04-0606-CO-TX, issued June 18, 2004. The Commission further ordered that if staff determined that FLATEL had complied with the provisions of the Commission's Order after reviewing the company's report, this docket should be closed administratively.

On August 9, 2004, FLATEL requested that the Commission extend the deadline for the company to submit its report to staff until September 30, 2004. On September 14, 2004, Order No. PSC-04-0891-PCO-TX, was issued approving the company's request. FLATEL submitted the report to staff on September 29, 2004. Staff has reviewed the information that was submitted and has determined that FLATEL has complied with the provisions of the Commission's Order; therefore this docket should be closed administratively.

OK to close 12/10/04 RW

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KLC/

cc: Division of Competitive Markets & Enforcement (Curry)
Office of the General Counsel (Rojas)

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK