



ORIGINAL

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

REC'D - FPSC
DEC 15 AM 11:39

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

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
RE: Closure of Docket No. 040427-TI- Compliance investigation or Foxtel, Inc. for
apparent violation of Sections 364.02 and 364.336, Florida Statutes.

On May 7, 2004, Docket No 040427-TI was established to investigate Foxtel, Inc.'s apparent violation of Sections 364.02 and 364.336, Florida Statutes. By Order PSC-04-0662-PAA-TI, issued July 8, 2004, the Commission penalized Foxtel, Inc. in the amount of \$10,500 for its willful violation of Sections 364.02 and 364.336, Florida Statutes. The Order became final and effective upon the issuance of Orders PSC-04-0783-CO-TI, PSC-04-0783A-CO-TI, and PSC-04-0783B-CO-TI, issued August 10, 2004, August 13, 2004, and October 18, 2004, respectively. The Commission also ordered that if Foxtel, Inc. did not pay the penalties and Regulatory Assessment Fees, including statutory late payment and interest charges, within 14 calendar days of the issuance of the Consummating Order the company's tariff should be cancelled and Registration No. TJ039 should be removed from the register. The Commission further ordered that this docket should be closed administratively upon either receipt of the payment of the penalties and Regulatory Assessment Fees, including statutory late payment and interest charges, or upon the cancellation of the company's tariff and the removal of the company's registration number from the register.

Fourteen calendar days have elapsed since the issuance of the Consummating Order and the company has not paid the penalties or Regulatory Assessment Fees, including statutory late payment and interest charges. Therefore, the company's tariff should be cancelled and Registration No. TJ039 should be removed from the register. In addition, the collection of the past due fees should be referred to the Department of Financial Services for further collection efforts and this docket should be closed administratively.

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____ KLC/
- OPC _____
- MMS _____
- RCA _____ cc: Division of Competitive Markets & Enforcement (Curry)
- SCR _____ Office of the General Counsel (Rockette-Gray)
- SEC 1
- OTH _____

ok to close
12-16-04
7/5

DOCUMENT NUMBER-DATE
13223 DEC 16 2004
FPSC-COMMISSION CLERK