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COMMISSION CLERK  
The future of business communications

March 6, 2006

Ms. Blanca Bayo  
Director – Division of the Commission Clerk & Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re: Docket 060061, T3 Communications, LLC**

Dear Ms. Bayo,

I am responding to the above-referenced Docket, dealing with two compliance investigations of our company, for “apparent violation of Section 364.183(1), F.S., Access to Company Records, and Rule 25-24.835(2), F.A.C., Rules Incorporated.” We recognize these infractions as serious charges, and respect the right of the commission to levy any appropriate fines or penalties. However, we are taking the opportunity generously provided to us to provide information which we hope will not only mitigate the potential penalties, but also to identify steps we have taken to prevent a recurrence of these kinds of infractions.

The first infraction I’d like to address is the violation of **Rule 25-24.835(2)**, dealing with the failure to notify the commission of a change of address. We believe that we indeed did provide that information, via a correction to the two tax forms filed in March of 2005 for reporting of the *Regulatory Assessment Fees* (Interexchange Form “PSC/CMP 153” and Competitive Local Exchange Company Form “PSC/CMP 007). I have attached copies of those bills indicating the corrections, while also providing copies of the 2005 returns which indicate successful updates to our address. We believed that this communication officially addressed the requirement of notifying the Commission of address changes. Furthermore, the address to which we received the first certified mail communication (concerning the Access to Company Records violation) *was* indeed our new address! We therefore hope that these facts would convince the Commission to drop this allegation.

Next, I’d like to address the “Access to Company Records” violation, **Section 364.183(1)**. This infraction specifically pertains to our failure to respond to the 2005 Local Competition Data Request Survey. There’s no good excuse for this oversight, however, I’d like the Commission to consider some information which I hope would mitigate the potential penalty.

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC   1
- OTH \_\_\_\_\_

DOCUMENT NUMBER - DATE

02023 MAR -98

When I assumed the position of CFO in late 2004 (and having never been aware of previous Competition Data Survey requirements), I inherited a very comprehensive and organized electronic schedule of filing deadlines for all of the different state and Federal reporting & tax collection agencies. Unfortunately, that specialized file became corrupted due to a hardware problem on our local server, several weeks before the due date. Our efforts to re-build the data base centered around filing requirements concerning *communication taxes* at the Federal and State level. Unfortunately, because this annual questionnaire was of a non-monetary nature, it was over-looked as a scheduled item. Even the subsequent reminder, received via USPS certified mail, did not get re-scheduled into the file, it still at that time was in the process of being re-constructed. Therefore, even though the hardcopy of the survey was in our possession, it was not on anyone's "radar screen."

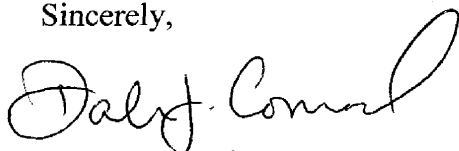
To make matters worse, we now know that there was a *second request*, extending the deadline for the questionnaire's return. I have attached a copy of the USPS form indicating an "unclaimed" status of that letter. We are dumbfounded as to why this was un-deliverable. Certainly, we understand that this second effort by the commission was as a courtesy to us, and though this generous second-chance reminder was never delivered, we admit that this second reminder should not have been necessary. However, I would assert that if the second notice had successfully been delivered to us, we would have acted upon it immediately, as by then we had successfully restored the scheduling database, and it would have been documented and delegated to the appropriate person.

**We have since taken appropriate measures to prevent this from occurring again, including the implementation of a "good-ole-fashioned" tickler file, as a back-up.**

We hope that the Commission weighs these circumstances in its decision on the appropriate fine/penalty. To that point, and in good conscience, we believe that a fine is justifiable. We hereby propose and hope that the Commission accepts our **voluntary offer of \$1,500.00.**

I appreciate the Commission's consideration of this offer, and apologize for the resources allocated to addressing this docket, and we look forward to a prompt resolution of this matter.

Sincerely,



Dale J. Conrad  
Chief Financial Officer

Attachments

# Interexchange Company Regulatory Assessment Fee Return

**STATUS:**

- Actual Return
- Estimated Return
- Amended Return

**PERIOD COVERED:**

01/01/2004 TO 12/31/2004

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

TJ783-04-0-R  
 T3 Communications, LLC  
 2235 First Street, Suite 217  
 Ft. Myers, FL 33901-2981

**FOR PSC USE ONLY**

Check# \_\_\_\_\_

\$ \_\_\_\_\_ 06-03-001  
 003001

\$ \_\_\_\_\_ P  
 06-03-001  
 004011

\$ \_\_\_\_\_ I

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

Please Complete Below If Official Mailing Address Has Changed

2401 1st St., Suite 300

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA	
		GROSS OPERATING REVENUE	INTRA STATE REVENUE
1.	Long Distance Services	\$ -0-	\$ -0-
2.	Access Services		
3.	Private Line Services		
4.	Leased Facilities & Circuits Services		
5.	Miscellaneous Services		
6.	<b>TOTAL Telephone Services</b>	\$ -0-	\$ -0-
7.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	( )	( )
8.	<b>TOTAL REVENUES</b> For Regulatory Assessment Fee Calculation		
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)		
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		
12.	<b>TOTAL AMOUNT DUE</b>		\$ -0-

\* These amounts must be intrastate only and must be verifiable.

**AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50**

**CURRENT COMPANY STATUS**

Facilities-Based Carrier ( ) Reseller ( ) Call Aggregator  
 Alternate-Operator Service ( ) Rebiller ( ) Other:

**BILLING INFORMATION**

Complete below if billing agent if other than yourself.

(Name) \_\_\_\_\_ (Address: City/State/Zip) \_\_\_\_\_ (Telephone) \_\_\_\_\_

What is the total amount of customer deposits collected?  
 Amount: \$ -0- for 19 \_\_\_\_\_

What is the total amount of bond held (if applicable)?  
 Amount: \$ -0- Expires: \_\_\_\_\_

**COMPANY INFORMATION**

Do you lease telecommunications' facilities?  YES ( ) NO  
 If YES, who do you lease these facilities from? Name: Sprint

Address: 1520 Lee St., Ft. Myers, FL 33901

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her duty shall be guilty of a misdemeanor of the second degree.

Dale J. Conrad (Signature of Company Official) C.F.O. (Title) 3/15/05 (Date)

Dale J. Conrad (Preparer of Form - Please Print Name) Telephone Number (874) 333-0000 Fax Number (874) 333-0000

F.E.I. No. 54-3765301

All revenues of T3 Communications, LLC, are reported as "competitive local Exchange Company", on appropriate PSC form, that was filed as account TX691. Though...

# Competitive Local Exchange Company Regulatory Assessment Fee Return

**STATUS:**

- Actual Return
- Estimated Return
- Amended Return

**PERIOD COVERED:**

01/01/2004 TO 12/31/2004

**Florida Public Service Commission**

(See Filing Instructions on Back of Form)

TX691-04-0-R  
 T3 Communications, LLC  
 2235 First Street, Suite 217  
 Ft. Myers, FL 33901-2981

**FOR PSC USE ONLY**

Check# \_\_\_\_\_

\$ \_\_\_\_\_ 06-03-001  
 003001

\$ \_\_\_\_\_ P \_\_\_\_\_ 06-03-001  
 003001

\$ \_\_\_\_\_ I \_\_\_\_\_

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

Please Complete Below If Official Mailing Address Has Changed

2401 1st. St., Suite 300

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA	
		GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ 212,135.55	\$ 212,135.55
2.	Long Distance Services (IntraLATA only)**	22,979.96	9,960.15
3.	Access Services		
4.	Private Line Services		
5.	Leased Facilities & Circuits Services		
6.	Miscellaneous Services		
7.	<b>TOTAL REVENUES</b>		\$ 222,095.70
8.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)		176,204.04
9.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		45,891.66
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015)		68.84
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		5.16
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		1.03
13.	<b>TOTAL AMOUNT DUE</b>		\$ 75.03

\* These amounts must be intrastate only and must be verifiable.  
 \*\* Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.

**AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50**

**CURRENT COMPANY STATUS**

Facilities-Based Provider

- Reseller
- Other: \_\_\_\_\_

**BILLING INFORMATION**

Complete below if billing agent if other than yourself.

\_\_\_\_\_  
 (Name) (Address: City/State/Zip) (Telephone)

**COMPANY INFORMATION**

Do you lease telecommunications' facilities?  YES ( ) NO  
 If YES, who do you lease these facilities from? Name: Sprint  
 Address: 1520 Lee St., Ft. Myers, FL 33901

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her duty shall be guilty of a misdemeanor of the second degree.

Dale J. Conrad  
 (Signature of Company Official)  
Dale J. Conrad  
 (Preparer of Form - Please Print Name)

C.F.O. (Title) 3/15/05 (Date)  
 Telephone Number (239) 333-0000 Fax Number (239) 333-0001  
 F.E.I. No. 59-3765301

# Interexchange Company Regulatory Assessment Fee Return

## Florida Public Service Commission

**STATUS:**

- Actual Return  
 Estimated Return  
 Amended Return

(See Filing Instructions on Back of Form)

TJ783-05-0-R  
 T3 Communications, LLC  
 2401 First Street, Suite 300  
 Ft. Myers, FL 33901-2941

**PERIOD COVERED:**  
01/01/2005 TO 12/31/2005

FOR PSC USE ONLY

Check # \_\_\_\_\_

\$ \_\_\_\_\_ 06-03-001  
003001

\$ \_\_\_\_\_ P \_\_\_\_\_

06-03-001  
004011

\$ \_\_\_\_\_ I \_\_\_\_\_

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

Please Complete Below If Official Mailing Address Has Changed

\_\_\_\_\_  
 (Name of Company) (Address) (City/State) (Zip)

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Long Distance Services	\$ <u>0-</u>	\$ <u>0-</u>
2.	Access Services	_____	_____
3.	Private Line Services	_____	_____
4.	Leased Facilities & Circuits Services	_____	_____
5.	Miscellaneous Services	_____	_____
6.	<b>TOTAL Telephone Services</b>	\$ <u>0-</u>	\$ <u>0-</u>
7.	LESS: Amounts Paid to Telecommunications Companies <sup>(1)</sup>	( _____ )	( _____ )
8.	<b>TOTAL REVENUES</b> For Regulatory Assessment Fee Calculation		\$ _____
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0020)		<u>50.00</u>
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		<u>2.50</u>
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		<u>.50</u>
12.	Extension Payment Fee (see "4. Extension" on back)		<u>    </u>
13.	<b>TOTAL AMOUNT DUE (\$50 MINIMUM)</b>		\$ <u>53.00</u> <sup>(2)</sup>

- (1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).  
 (2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

### CURRENT COMPANY STATUS

- Facilities-Based Carrier                      ( ) Reseller                                      ( ) Call Aggregator  
 Alternate-Operator Service                      ( ) Rebiller                                      ( ) Other: \_\_\_\_\_

### BILLING INFORMATION

Complete below if billing agent is other than yourself.

\_\_\_\_\_ (Name)                                      \_\_\_\_\_ (Address: City/State/Zip)                                      \_\_\_\_\_ (Telephone)  
 What is the total amount of customer deposits collected?                                      What is the total amount of bond held (if applicable)?  
 Amount: \$ \_\_\_\_\_ for 20 \_\_\_\_\_                                      Amount: \$ \_\_\_\_\_ Expires: \_\_\_\_\_

### COMPANY INFORMATION

Do you lease telecommunications' facilities?  YES                      ( ) NO  
 If YES, who do you lease these facilities from? Name: Sprint United  
 Address: 1520 Lee St., Ft. Myers, FL 33901

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her duty shall be guilty of a misdemeanor of the second degree.

Dale Conrad                                      C.F.O.                                      2/1/06  
 (Signature of Company Official)                                      (Title)                                      (Date)  
Dale S. Conrad                                      Telephone Number (239) 333-0000                      Fax Number (239) 333-0001  
 (Preparer of Form - Please Print Name)                                      F.E.I. No. 59-3765301

# Competitive Local Exchange Company Regulatory Assessment Fee Return

## Florida Public Service Commission

**STATUS:**

- Actual Return  
 Estimated Return  
 Amended Return

**PERIOD COVERED:**

01/01/2005 TO 12/31/2005

(See Filing Instructions on Back of Form)

TX691-05-0-R  
 T3 Communications, LLC  
 2401 First Street, Suite 300  
 Ft. Myers, FL 33901-2941

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

Check # \_\_\_\_\_  
 \$ \_\_\_\_\_ 06-03-001  
 \_\_\_\_\_ 003001  
 \$ \_\_\_\_\_ P  
 \_\_\_\_\_ 06-03-001  
 \_\_\_\_\_ 004011  
 \$ \_\_\_\_\_ I  
 Postmark Date \_\_\_\_\_  
 Initials of Preparer \_\_\_\_\_

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ 841,356.58	\$ 841,356.58
2.	Long Distance Services (IntraLATA only) <sup>(1)</sup>	305,677.61	91,163.42
3.	Access Services		
4.	Private Line Services		
5.	Leased Facilities & Circuits Services		
6.	Miscellaneous Services		
7.	<b>TOTAL REVENUES</b>		\$ 932,520.00
8.	LESS: Amounts Paid to Other Telecommunications Companies <sup>(2)</sup>		-0-
9.	<b>NET INTRASTATE OPERATING REVENUE</b> for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		\$ 932,520.00
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0020)		1,865.04
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		93.25
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		18.65
13.	Extension Payment Fee (see "4. Extension" on back)		
14.	<b>TOTAL AMOUNT DUE (\$50 MINIMUM)</b>		\$ 1,976.94 <sup>(3)</sup>

(1) Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.

(2) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(3) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

**CURRENT COMPANY STATUS**

- Facilities-Based Provider  
 Reseller  
 Other: \_\_\_\_\_

**BILLING INFORMATION**

Complete below if billing agent is other than yourself.

\_\_\_\_\_ (Name) \_\_\_\_\_ (Address: City/State/Zip) \_\_\_\_\_ (Telephone)

**COMPANY INFORMATION**

Do you lease telecommunications' facilities?  YES  NO

If YES, who do you lease these facilities from? Name: Sprint

Address: 1520 Lee St., Ft. Myers, FL 33901

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

Dale S. Conrad  
(Signature of Company Official)

C.F.O.  
(Title)

2/28/06  
(Date)

Dale S. Conrad  
(Preparer of Form - Please Print Name)

Telephone Number (239) 333-0000 Fax Number (239) 333-0001

F.E.I. No. 59-3765301

1

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3; Also complete Item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Received by (Please Print Clearly)	B. Date of Delivery
	C. Signature	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to:	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
TX691 T3 Communications, LLC 2401 First Street, Suite 300 Ft. Myers, FL 33901-2941	Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
	7002 0860 0001 1762 9188	

2

State of Florida  
Service Commission

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**CERTIFIED MAIL**

1



7004 1160 0004 5751 5044



Net Post

6/27/21/05  
7-27  
8-5

**RTS**  
RETURN TO SENDER

- INSUFFICIENT ADDRESS
- ATTEMPTED NOT KNOWN
- NO SUCH NUMBER/STREET
- NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD
- OTHER

ACS

*uncertain*

34103/3908

80008

047082004132  
\$04.42  
07/19/2005  
Mailed From 32399  
US POSTAGE

2401 1st