

ORIGINAL

MEMORANDUM

September 6, 2006

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COMMISSION
CLERK

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (TAN) *TW*

RE: DOCKET NO. 050965-TX COMPLIANCE INVESTIGATION OF BENCHMARK COMMUNICATIONS, LLC D/B/A COM FOR APPARENT VIOLATION OF SECTION 364.183(1), F.S., ACCESS TO COMPANY RECORDS.

Please place the attached settlement offer submitted by Benchmark Communications, LLC d/b/a Com One to the above-reference docket file.

TLT/Attachment

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

DOCUMENT NUMBER-DATE
08169 SEP-6 8
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NOWALSKY, BRONSTON & GOTHARD

A Professional Limited Liability Company

Attorneys at Law

Leon L. Nowalsky
Benjamin W. Bronston
Edward P. Gothard

3500 North Causeway Boulevard
Suite 1442

Metairie, Louisiana 70002
Telephone: (504) 832-1984
Facsimile: (504) 831-0892

Monica Borne Haab
Philip R. Adams, Jr.

Of Counsel
Bruce C. Betzer

August 28, 2006

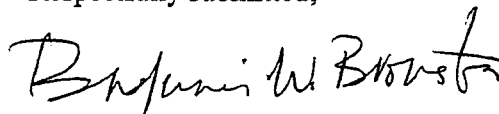
Blanca Bayo, Director
Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

RE: 050965-TX, Compliance investigation of Benchmark Communications, LLC
d/b/a Com One for apparent violation of Section 364.183(1), F.S., Access to
Company Records

Dear Director Bayo:

My client, Benchmark Communications, LLC ("Benchmark"), will make a voluntary contribution of \$3500 to the Commission to settle the issue in Docket 050965. As explained previously, Benchmark completed, executed and submitted the report at issue, but does not have proof of same other than a postage meter receipt and the affidavit of its chief executive officer. Since staff deems this insufficient evidence, Benchmark is offering to pay the proposed contribution in lieu of a formal evidentiary hearing regarding same. Benchmark has subsequently retained a highly respected outside compliance firm (Compliance Solutions, Inc. of Longwood, Florida) to handle these compliance matters in the future.

Respectfully submitted,



Benjamin W. Bronston

BWB/bb

DOCUMENT NUMBER-DATE

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