

DOCKET NO. 140102-TX

REQUEST TO ESTABLISH DOCKET

(Please type or print. File original *plus* 1 copy with CLK.)

Date:	5/8/2014	Docket No.:	
1. From Staff / Division:		Office Of Telecommunications/Toni Earnhart	
2. OPR:	Toni Earnhart, TEL		
3. OCR:	GCO		
4. Suggested Docket Title:		<u>Compliance investigation of local exchange Certificate No. 8731, issued to Excelacom Light, LLC., for apparent second-time violation of Rule 25-4.0161, FAC., Regulatory Assessment Fees; Telecommunications Companies.</u>	
5. Program/Module/Submodule Assignment:			A18a, A10
6. Suggested Docket Mail List.			
a. Provide NAMES/ACRONYMS, if registered company.			<input type="checkbox"/> Provided as an Attachment
Company Code, if applicable:	Parties (include address, if different from MCD):	Representatives (name and address):	
TX968			
b. Provide COMPLETE NAME AND ADDRESS for all others. (match representatives to companies)			
Company Code, if applicable:	Interested persons, if any, (include address, if different from MCD):	Representatives (name and address):	
7. Check one:	<input checked="" type="checkbox"/> Supporting Documentation Attached	<input type="checkbox"/> To be provided with Recommendation	
Comments:			

COMMISSION CLERK

14 MAY - 8 PM 2:33

RECEIVED-FPSC

Industry	FEID Num	Code	Utility Name	Service	Service	RAF Period Covered	Year	Due Date	RAF Rate	Total Owe	Total Paid	Total Due	RAF Due	RAF Paid	Penalty Due	Penalty Paid	Interest Due	Interest Paid	RAF Owe	Penalty Owe	Interest Owe	Latest Status	Status	
T	26-2684405	TX968	Excelacom Light, LLC	CLX	TX	01/01/2013-12/31/2013	2013	1/30/2014	0.0016	744	0	744	600	0	120	0	24	0	600	120	24	Interest & Penalty updated by	5/1/2014	
T	26-2684405	TX968	Excelacom Light, LLC	CLX	TX	01/01/2012-12/31/2012	2012	1/30/2013	0.0016	0	600	600	600	600	0	0	0	0	0	0	0	0	RAF Form Print & Mailed Out	4/1/2014
T	26-2684405	TX968	Excelacom Light, LLC	CLX	TX	01/01/2011-12/31/2011	2011	1/30/2012	0.0018	0	600	600	600	600	0	0	0	0	0	0	0	0	Payment Received	2/8/2012
T	26-2684405	TX968	Excelacom Light, LLC	CLX	TX	01/01/2010-12/31/2010	2010	1/31/2011	0.002	0	780	780	600	600	150	150	30	30	0	0	0	0	Interest due updated	6/13/2011
T	26-2684405	TX968	Excelacom Light, LLC	CLX	TX	01/01/2009-12/31/2009	2009	2/1/2010	0.002	0	672	672	600	600	60	60	12	12	0	0	0	0	Payment Received	4/8/2010
T	26-2684405	TX968	Excelacom Light, LLC	CLX	TX	01/01/2008-12/31/2008	2008	1/30/2009	0.002	0	636	636	600	600	30	30	6	6	0	0	0	0	Payment Received	3/16/2009

RELATED DOCKETS INFORMATION

[Back](#)

Tax ID: 26-2684405 Complete Name: [Excelacom Light, LLC](#), Address: [11720 Plaza America Drive, Suite 1301 Reston VA 20190-6704 USA](#) Contact: [CEO, Matthew Michaels \(703\) 787-7500](#) Fax: [\(703\) 787-7636](#) mmichaels@excelacom.com Bankruptcy Start Date: Bankruptcy Drop Date: Active:
 CreatDate: 10/15/2008 ModifyBy: NGRANT ModifyDate: 2/15/2012 2:52:09 PM

Utility Code: TX968 Utility Name: Excelacom Light, LLC Active:
 Utility Code To: Utility Code From: Unregulated Operation Date: Corptype Type: Class Type: created at 2008-10-15 00:00:00 NGRANT modified at 2014-04-30 10:12:00

Total: 3

#	DocketNum	Title	DocDate	Status
1	110115-TX	Compliance investigation of CLEC Certificate No. 8731, issued to Excelacom Light, LLC, for apparent first-time violation of Rule 25-4.0161, F.A.C.; Regulatory Assessment Fees; Telecommunications Companies.	04/19/2011	Closed
2	080706-TP	Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and ExcelaCom Light, LLC.	12/10/2008	Closed
3	080498-TX	Application for certificate to provide competitive local exchange telecommunications service by Excelacom Light, LLC.	07/14/2008	Closed

Utility Information

This account is Delinquent.

Utility Mailing Name: Excelacom Light, LLC. Complete Name: Excelacom Light, LLC. Utility Code: TX96B

Street1: 11720 Plaza America Drive, Suite 1301 Street2: _____ City: Reston

State: VA Zip: 20190-6704 Phone: (407) 869-1919 e

Federal Id: 26-2684405 Certificate #: 8731 Bankruptcy Start Date: _____ Bankruptcy End Date: _____ BType: _____

Utility Status Code: REGULATED Utility Status Date: 10/15/2008 WriteOff Type: _____

RAF Account Information

Raf Periods: 1/1/2013 - 12/31/2013

RAF Period Covered: 1/1/2013 - 12/31/2013

Service: CLX



Current RAF Status: Interest & Penalty updated by nightly job

Raf Transactions: _____

Operating Revenue: 0.00

Gross Interstate Revenue: 0.00

RAF Rate: 0.0016

RAF Due Date: 1/30/2014  

Correspondence Suspended Show Cause

Check Received Utility Request Close

Confidential Raf Form Withdrawn Audited

Send Collection Collection Date: _____ Collection Withdrawn

RAF Form Received Actual Estimated

Amended Return Do not calculate Penalty

RAF Account Satisfied Do not calculate Interest

All Comments:

Interest and Penalty adjusted by nightly job---DBO---5/1/2014 12:01:33 AM

Interest and Penalty adjusted by nightly job---DBO---4/1/2014 12:01:33 AM

Interest and Penalty adjusted by nightly job---DBO---3/2/2014 12:01:33 AM

Interest and Penalty adjusted by nightly job---DBO---1/31/2014 12:01:33 AM

User Comments:

Estimated Assessments

	Due	Paid	WriteOff	Refund	Expired Refund	Owe
RAF	600.00	0.00				600.00
Penalty	120.00	0.00				120.00
Interest	24.00	0.00				24.00
Extension	0.00	0.00				0.00
Total	744.00	0.00				744.00

-
-
-

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
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RONALD A. BRISÉ
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JULIE IMANUEL BROWN

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
S. CURTIS KISER
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

February 20, 2014

TX968-13-T-0-D
Excelacom Light, LLC.
11720 Plaza America Drive, Suite 1301
Reston, VA 20190-6704

Dear Certificate Holder:

The Division of Administrative Services has forwarded your account to our office to address the nonpayment of the Regulatory Assessment Fees (RAFs) required by Section 366.14, Florida Statutes, and Rule 25-6.0131, Florida Administrative Code, for the year 2014, which was due January 30, 2014. The RAFs return form was mailed to you on **December 15, 2013**, and to date, Commission records reflect that payment has not been received.

Utilities are charged with knowledge of our rules and statutes. According to Florida Law, you are required to add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof, beyond the due date, up to a maximum of 25% in addition to the delinquent amount due. In addition, pursuant to Section 366.095, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$5,000 for each offense, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 366.

If payment is not postmarked within 15 calendar days of receipt of this notice, as evidenced by the certified mail receipt, Rule 25-4.0161, F.A.C., automatically imposes a penalty of \$500, \$1,000, or \$2,000, in addition to the interest and penalty listed in the preceding paragraph. The penalty is based on the number of prior dockets against a company for violation of the RAF rule. For one prior docket, it automatically will be assessed a \$1,000 penalty and for two, a \$2,000 penalty. For a third docket, staff will submit a recommendation to the Commission seeking cancellation of the company's certificate and removal from the register.

If you wish to request another form, please contact Toni Earnhart at the number below. The payment should be identified with the company code and the company's name. Failure to provide payment within 15 days of this notice will result in the establishment of a docket to address your failure to return the RAFs form and pay RAFs in accordance with Section 366.14, Florida Statutes, and Rule 25-7.0131, Florida Administrative Code. As specified above, pursuant to Section 366.095, Florida Statutes, the Commission may impose a fine for failure to comply. Therefore, it is important that you address this matter now. If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions concerning this letter please contact **Toni Earnhart** at (850) 413-6532 or via Internet e-mail at tearnhar@psc.state.fl.us.

Sincerely,

Handwritten signature of S. Curtis Kiser.

S. Curtis Kiser
Office of the General Counsel

cc: Fiscal Services Section

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

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TX968-13-T-0-D
Excelacc Light, LLC.
11720 Plaza America Drive, Suite 1301
Reston, VA 20190-6704

2. Article Number
(Transfer from service label)

7002 0860 0001 1760 0330

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

2/24/14

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

Toni Earnhart

To: Toni Earnhart
Subject: RE: Excelacom Light, LLC. - FLORIDA TX968

From: Toni Earnhart
Sent: Friday, April 11, 2014 4:46 PM
To: 'Matthew Michaels'
Subject: RE: Excelacom Light, LLC. - FLORIDA TX968

I am glad you contacted me back to get back on track. I am trying to connect with companies personally to avoid compliance actions.

I noticed that I sent you a blank 2012 RAF form by mistake, I have attached a 2013 generated form and attached it.

FISCAL accepts checks, we have not moved toward electronic payment systems yet. Just make sure you get the form and the fee post marked ASAP.

Did you look over the screen prints for potential editing? I can add another contact if you like.

Be sure to set up a tickler note that the FLPSC bills in mid-December every year and the RAF due date before P&I kick in is January 30th. Mid-February Delinquent notices are mailed certified and if no response is received within 15 days the company is vulnerable to a compliance action which usually comes with a fine of \$500 first offense, \$1000 second offense and \$2000 third offense...4th time gets your certificate revoked. There is also a Competition Report staff collects data for and it is due April 15th as well. That one comes with a potential \$25,000 a day fine.

Again, thank you for contacting me back too.

*Toni Joy Earnhart, Public Utility Analyst
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399
Phone 850-413-6532
Fax 850-413-6533*

From: Matthew Michaels [<mailto:mmichaels@excelacom.com>]
Sent: Friday, April 11, 2014 4:15 PM
To: Toni Earnhart
Subject: RE: Excelacom Light, LLC. - FLORIDA TX968

Toni,

Thank you for sending this information over to me. Attached is a completed copy of the RAF. Please let me know if we can send payment electronically or if we should mail a check per the instructions on the second page of the form.

Best regards,
Matt

Matt Michaels | CFO
Excelacom, Inc. | mmichaels@excelacom.com
11720 Plaza America Drive Ste 1301, Reston, VA 20190, USA

From: Toni Earnhart [<mailto:TEarnhar@PSC.STATE.FL.US>]
Sent: Tuesday, April 01, 2014 4:03 PM
To: Matthew Michaels
Subject: Excelacom Light, LLC. - FLORIDA TX968
Importance: High

Mr. Michaels,

This is a courtesy email, I am auditing the 2013 RAF accounts for TELCOM companies at the FLPSC.

Excelacom Light, LLC. hasn't paid its 2013 RAF yet.

I have enclosed the 2012 RAF form filed for your review, the delinquent letter for 2013 and the registered return card signed that it was received by the company, and another 2013 RAF form for completion.

Given the date, penalties and interest do apply. To avoid a rule violation compliance action, please submit the completed form and fees by April 15th.

Also, please review the screen prints below and let me know if there are changes that need to be made.

Contact me with any questions.