

REQUEST TO ESTABLISH DOCKET(Please type or print. File original *plus* 1 copy with CLK.)

Date:	4/27/2015	Docket No.:	
1. From Staff / Division:	Division of Economic Services/Toni Earnhart		
2. OPR:	Toni Earnhart, ECO <i>29 GB</i>		
3. OCR:	GCL		
4. Suggested Docket Title:	Compliance investigation of local exchange Certificate No. 5783, issued to Image Access, Inc. d/b/a NewPhone, Inc., for apparent first-time violation of Rule 25-4.0161, FAC., Regulatory Assessment Fees; Telecommunications Companies.		
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):	
TX254			
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:			

RECEIVED-FPSC
 15 APR 29 AM 10:08
 COMMISSION
 CLERK

STATE OF FLORIDA

COMMISSIONERS:
 ART GRAHAM, CHAIRMAN
 LISA POLAK EDGAR
 RONALD A. BRISÉ
 JULIE IMANUEL BROWN
 JIMMY PATRONIS



OFFICE OF THE GENERAL COUNSEL
 CHARLIE BECK
 GENERAL COUNSEL
 (850) 413-6199

Public Service Commission

February 20, 2015

TX254-14-T-0-D
 NewPhone, Inc.
 7324 Southwest Freeway, Suite 475
 Houston, TX 77074-2042

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 2015, which was due January 30, 2015. The RAFs return form was mailed to you on December 15, 2014, 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,

Charlie Beck
 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

State of
Public Service
2540 Starwood
Tulsa, Okla. 74104

CERTIFIED MAIL



7505 1160 8003 6789 0944

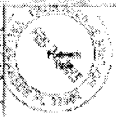
February 26, 2015

JX254-14 F-0-D
NewPhone, Inc.
7324 Southwest Freeway, Suite 475
Houston, TX 77074-2042

3-14

728 02 1000 720
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only) (First-Class Mail® Package Priority®)	
Package #	48
Origin PO	330
Destination PO	270
Registered Mail Fee	
Collection Fee	
Total Postage & Fees	\$ 6.48
TX254-14-F-0-D	
NewPhone, Inc.	
7324 Southwest Freeway, Suite 475	
Houston, TX 77074 2042	



Utility Information

This account is Delinquent.

Utility Mailing Name: **NewPhone, Inc.** Complete Name: **Image Access, Inc. d/b/a NewPhone, Inc.** Utility Code: **TX254** **Docket** **Consumer**

Street1: **7324 Southwest Freeway, Suite 475** Street2: City: **Houston**

State: **TX** Zip: **77074-2042** Phone: **(817) 903-0997**

Federal Id: **72-1401273** Certificate #: **5783** Bankruptcy Start Date: Bankruptcy End Date: **BType:**

Utility Status Code: **REGULATED** Utility Status Date: **2/2/1999** WriteOff Type:

RAF Account Information

Raf Periods: **1/1/2014 - 12/31/2014**

RAF Period Covered: **1/1/2014 - 12/31/2014**

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: **1/30/2015**

Correspondence Suspended Show Cause

Check Received On Payment Plan Utility Request Close

Confidential Raf Form Withdrawn Audited

Send Collection Collection Date: Collection Withdrawn

RAF Form Received Actual Estimated

Amended Return Don't calculate Penalty Don't calculate Interest

RAF Account Satisfied

All Comments:

Interest and Penalty adjusted by nightly job---DBO---4/1/2015 12:01:01 AM

Interest and Penalty adjusted by nightly job---DBO---3/2/2015 12:01:03 AM

Interest and Penalty adjusted by nightly job---DBO---1/31/2015 12:01:01 AM

User Comments:

Estimated Assessments

	Due	Paid	WriteOff	Refund	Expired Refund	Owe
RAF	600.00	0.00				600.00
Penalty	90.00	0.00				90.00
Interest	18.00	0.00				18.00
Extension	0.00	0.00				0.00
Total	708.00	0.00				708.00

- [Print RAF Form](#)
- [Payment Calculator](#)
- [RAF Documents](#)

Utility Code: TX254 Utility Name: NewPhone, Inc. Active
 Utility Code To: Utility Code From: Unregulated Operation Date: Corptype Type: Corporation Class Type: NGRANT created at 1999-02-02 00:00:00 NGRANT m

Total: 17

#	Transaction Title	Exp. Date	Status
1	581020 TX Application for Certificate to provide alternative local exchange telecommunications service by Image Access Communications, Inc. d/b/a NewPhone	03/26/1999	Closed
2	580104 TP Request for approval of interconnection, unbundling, resale and collocation agreement between BellSouth Telecommunications, LLC d/b/a AT&T Florida d/b/a AT&T Southeast and Image Access, Inc.	05/16/2004	Closed
3	520127 TP Request for approval of interconnection, collocation, unbundling and resale agreement with CenturyLink and Image Access, Inc. d/b/a New Phone, Inc.	02/03/2011	Closed
4	520145 TP Notice of adoption of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Image Access, Inc. d/b/a NewPhone, Inc.	04/25/2010	Closed
5	520124 TX Request for Circulation of Certificate of Necessity No. 5783 by Image Access, Inc. d/b/a NewPhone, Inc. effective April 29, 2012	04/29/2012	Closed
6	520603 TP Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Image Access, Inc. d/b/a NewPhone, Inc.	01/23/2012	Closed
7	580022 TP Complaint and petition for relief against Image Access, Inc. d/b/a New Phone by BellSouth Telecommunications, Inc. d/b/a AT&T Florida	01/24/2010	Closed
8	520126 TP Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Image Access, Inc. d/b/a NewPhone, Inc.	04/25/2010	Closed
9	580106 TX Investigation and determination of appropriate method for rebating apparent overcharges by Image Access, Inc. d/b/a NewPhone, Inc. due to overbilling on TRCA fees.	03/26/2004	Closed
10	580023 TX Petition for designation as eligible telecommunications carrier (ETC) by Image Access, Inc. d/b/a NewPhone, Inc.	06/20/2008	Closed
11	520219 TP Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Image Access, Inc. d/b/a NewPhone, Inc.	04/25/2006	Closed
12	520218 TP Acknowledgment of name change on FCC Registration No. 12667 and U.S.C. Certificate No. 5783 from Image Access Communications, Inc. d/b/a NewPhone to Image Access, Inc. d/b/a NewPhone Inc., effective March 15, 2006	03/15/2006	Closed
13	520106 TP Request for approval of two amendments to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Image Access Communications, Inc. d/b/a NewPhone	11/22/2004	Closed
14	520011 TP Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Image Access, Inc. d/b/a New Phone	08/03/2004	Closed
15	520104 TP Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Image Access Communications, Inc. d/b/a NewPhone	03/04/2004	Closed
16	520117 TP Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Image Access Communications, Inc. d/b/a NewPhone	02/12/2004	Closed
17	520063 TP Request for approval of resale agreement between BellSouth Telecommunications, Inc. and Image Access Communications, Inc. d/b/a NewPhone	06/31/2000	Closed