

**REQUEST TO ESTABLISH DOCKET**

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

2016 MAY 14 AM 9:47  
RECEIVED-FPSC  
COMMISSION CLERK

|   |  |  |   |
|---|--|--|---|
| Date:   | 5/04/2016  | Docket No.:  | 29  |
| 1. From Staff / Division:   | Division Of Economics/Toni Earnhart  |  |   |
| 2. OPR:   | Toni Earnhart, ECO   |  |   |
| 3. OCR:   | GCO  |  |   |
| 4. Suggested Docket Title:  | Compliance investigation of local exchange Certificate No. 8854, issued to NET TALK.COM, INC., for apparent second-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):                |   |
| TY088   |  |  |   |
|   |  |  |   |
|   |  |  |   |
|   |  |  |   |
| 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:   |  |  |   |

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



OFFICE OF THE GENERAL COUNSEL  
 MARY ANNE HELTON  
 INTERIM GENERAL COUNSEL  
 (850) 413-6199

## Public Service Commission

February 22, 2016

TY088-15-T-0-D  
 NET TALK.COM, INC.  
 1080 N.W. 163rd Drive  
 Miami, FL 33169-5818

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 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code (F.A.C.), for the year 2015, which was due **February 1, 2016**. The RAF return form was mailed to you on **December 15, 2015**, 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 364.285, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 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 364.

**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 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. As specified above, pursuant to Section 364.285, 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](mailto:tearnhar@psc.state.fl.us).

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Anne Helton".

Mary Anne Helton  
 Interim General Counsel

cc: Fiscal Services Section

**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:

TY088-15-T-0-D  
 NETTALK.COM, INC.  
 1080 N.W. 163rd Drive  
 Miami, FL 33169-5818

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name)  C. Date of Delivery  
 Bisley 2-25-06

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

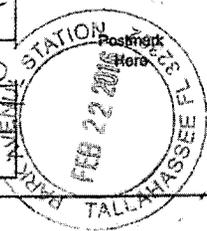
3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7011 3500 0001 5979 2758

7011 3500 0001 5979 2758

|  |             |
|--|-------------|
| <b>U.S. Postal Service</b>   |             |
| <b>CERTIFIED MAIL<sup>TM</sup> RECEIPT</b>   |             |
| <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>                                  |             |
| For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> |             |
| <b>OFFICIAL USE</b>  |             |
| Postage \$   | .48         |
| Certified Fee  | 3.45        |
| Return Receipt Fee<br>(Endorsement Required)   | 2.80        |
| Restricted Delivery Fee<br>(Endorsement Required)  | —           |
| <b>Total Postage &amp; Fees</b>  | <b>6.73</b> |
| TY088-15-T-0-D<br>NET TALK.COM, INC.<br>1080 N.W. 163rd Drive<br>Miami, FL 33169-5818        |             |
| <small>See Reverse for Instructions</small>  |             |



**Utility Information**

This account is Delinquent.

Utility Mailing Name: NET TALK COM, INC. Complete Name: NET TALK COM, INC. Utility Code: TY088

Street1: 1080 N.W. 163rd Drive Street2: City: Miami

State: FL Zip: 33169-5818 Phone: (305) 621-1200

Federal Id: 20-4830633 Certificate #: 8854 Bankruptcy Start Date: Bankruptcy End Date: BType:

Utility Status Code: REGULATED Utility Status Date: 1/13/2014 WriteOff Type:

**RAF Account Information**

Raf Periods: 1/1/2015 - 12/31/2015

RAF Period Covered: 1/1/2015 - 12/31/2015

Service: CLX

Current RAF Status: Interest & Penalty updated by nightly job

Raf Transactions: [Dropdown]

Operating Revenue: 0.00

Gross Interstate Revenue: 0.00

RAF Rate: 0.0016

RAF Due Date: 2/1/2016

Correspondence Suspended  Show Cause

Check Received  On Payment Plan  Utility Request Close

Confidential  Raf Form Withdrawn  Audited

Send Collection  Collection Date: [Text]  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---5/2/2016 12:01:06 AM

Interest and Penalty adjusted by nightly job---DBO---4/2/2016 12:01:05 AM

Interest and Penalty adjusted by nightly job---DBO---3/3/2016 12:01:05 AM

Interest and Penalty adjusted by nightly job---DBO---2/2/2016 12:01:05 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          |
| <b>Total</b> | <b>744.00</b> | <b>0.00</b> |          |        |                | <b>744.00</b> |

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Tax ID: 20-4820532 Complete Name: NET TALK.COM, INC. Address: 1080 N.W. 163rd Drive Miami, FL 33169-5818 USA / 1100 N.W. 163rd Drive, Suite 2 North Miami, FL 33169-5816 USA Contact: CEO Anastasios Kyriakides (305) 621-1200 Fax: (305) 621-1201 [talk@nettalk.com](mailto:talk@nettalk.com) Bankruptcy Start Date: Active:  CreateBy: NGRANT CreateDate: 1/1/2009 ModifyBy: NGRANT ModifyDate: 1/14/2014 10:45:42 AM

Utility Code: TY088 Utility Name: NET TALK.COM, INC. Active:   
Utility Code To: Utility Code From: Unregulated Operation Date: CorpType Type: Corporation Class Type: NGRANT created at 2013-10-15 11:26:31 NGRANT modified at 2015-02-26 14:22:58

Total: 2

| # | DocketNum | Title   | DocDate    | Status |
|---|-----------|---|------------|--------|
| 1 | 140026-TX | Petition for designation as eligible telecommunications carrier (ETC) by NetTALK, Inc         | 02/04/2014 | Closed |
| 2 | 130252-TX | Application for certificate to provide local telecommunications service by NET TALK.COM, INC. | 10/10/2013 | Closed |

TX977 / Docket No. 12011  
Cancelled 6/15/2012  
in a Compliance Action.

Tax ID: 20-4830633 Complete Name: NET TALK.COM, INC. Address: 1080 N.W. 163rd Drive Miami, FL 33169-5818 USA 1100 N.W. 163rd Drive Suite 3 North Miami, FL 33169-5816 USA Contact: CEO Anastasios Kyriakides (305) 621-1200 Fax: (305) 621-1201 tekrs@nettalk.com Bankruptcy Start Date: Active:  Created By: NGRANT Create Date: 1/14/2009 Modified By: NGRANT Modify Date: 1/14/2014 10:45:42 AM

Utility Code: TX977 Utility Name: NET TALK.COM, INC. Inactive  
 Utility Code To: TX852 Utility Code From: Unregulated Operation Date: Corpytype: Class Type: NGRANT created at 2009-01-01 00:00:00 NGRANT modified at 2012-09-05 11:06:21

Total: 6

| # | Description  | File | File Number | Status |
|---|--|------|-------------|--------|
| 1 | Complete Investigation of CLEC Certificate No. 0000 issued to NET TALK.COM, INC. We require that the Utilities of Rule 20-4 FEE P.A.C. Regulatory Assessment Fee. Transmission of Line |      | 00000000    | Closed |
| 2 | Request for approval of interconnection, service, and collocation agreement between Verizon Florida LLC and NET TALK.COM, INC.   |      | 00000001    | Closed |
| 3 | Request for approval of interconnection, service, and collocation agreement between Verizon Florida, Inc. and NET TALK.COM, INC.   |      | 00000002    | Closed |
| 4 | Request for approval of interconnection, service, and collocation agreement with Verizon Communications Corp. and Verizon Florida LLC by NET TALK.COM, INC.                            |      | 00000003    | Closed |
| 5 | Request for approval of interconnection, service, and collocation agreement between Verizon Telecommunications, Inc. and Verizon Florida LLC by NET TALK.COM, INC.                     |      | 00000004    | Closed |
| 6 | Request for approval of transfer of service and change in CLEC Certificate No. 0000 from Verizon Florida, Inc. to Verizon Florida LLC by NET TALK.COM, INC. 00000005                   |      | 00000005    | Closed |

Utility Information

|   |                                  |                        |                                       |   |
|---|----------------------------------|------------------------|---------------------------------------|---|
| Utility Mailing Name: NET TALK COM, INC | Complete Name: NET TALK COM, INC | Utility Code: TX977    | <input type="button" value="Docket"/> | <input type="button" value="Consumer"/> |
| Street1: 1100 N.W. 163rd Drive, Suite 3 | Street2:                         | City: North Miami      |                                       |   |
| State: FL                               | Zip: 33169-5816                  | Phone: (305) 621-1200  |                                       |   |
| Federal Id: 20-4830633                  | Certificate #: 8602              | Bankruptcy Start Date: | Bankruptcy End Date:                  | BType:                                  |
| Utility Status Code: CANCELLED          | Utility Status Date: 6/15/2012   | WriteOff Type:         |                                       |   |

RAF Account Information

|   |   |   |
|---|---|---|
| Raf Periods: 1/1/2012 - 12/31/2012                              | <input type="checkbox"/> Correspondence Suspended         | <input checked="" type="radio"/> Show Cause       |
| RAF Period Covered: 1/1/2012 - 12/31/2012                       | <input checked="" type="checkbox"/> Check Received        | <input type="checkbox"/> On Payment Plan          |
| Service: CLX  | <input type="checkbox"/> Confidential                     | <input type="checkbox"/> Raf Form Withdrawn       |
| Current RAF Status: RAF period payment with satisfy all the fee | <input type="checkbox"/> Send Collection                  | <input type="checkbox"/> Collection Date:         |
| Raf Transactions:   | <input type="checkbox"/> RAF Form Received                | <input checked="" type="radio"/> Actual           |
| Operating Revenue: 0.00   | <input type="checkbox"/> Amended Return                   | <input type="checkbox"/> Don't calculate Penalty  |
| Gross Interstate Revenue: 0.00                                  | <input checked="" type="checkbox"/> RAF Account Satisfied | <input type="checkbox"/> Don't calculate Interest |
| RAF Rate: 0.0016  | RAF Due Date: 1/30/2013                                   |   |

All Comments:

RAF period payment with satisfy all the fee---DBO---2/29/2016 12:05:04 AM  
 OverPaid Amt is adjusted after three years---DBO---2/29/2016 12:05:04 AM  
 RAF Refund Expired Amount adjusted---VMOORE ---6/28/2012 9:57:00 AM

User Comments:

Estimated Assessments

|           | Due    | Paid   | WriteOff | Refund | Expired Refund | Owe  |
|-----------|--------|--------|----------|--------|----------------|------|
| RAF       | 600.00 | 731.51 |          |        | 131.51         | 0.00 |
| Penalty   | 0.00   | 0.00   |          |        | 0.00           | 0.00 |
| Interest  | 0.00   | 0.00   |          |        | 0.00           | 0.00 |
| Extension | 0.00   | 0.00   |          |        | 0.00           | 0.00 |
| Total     | 600.00 | 731.51 |          |        | 131.51         | 0.00 |

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