

FLORIDA PUBLIC SERVICE COMMISSION

Item 14

VOTE SHEET

June 15, 2021

FILED 6/15/2021
DOCUMENT NO. 05725-2021
FPSC - COMMISSION CLERK

Docket No. 20210078-TX – Compliance investigation of local exchange Certificate No. 8511, issued to **SH Services LLC** **Optical Telecommunications, Inc. d/b/a HControl Corporation d/b/a SH Services LLC**, for apparent fourth-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Issue 1: Should the Commission impose a penalty and a cost of collection, together totaling \$4,000 or cancel the SH Services tariff and remove SH Services, TX797, from the register for an apparent fourth violation of Section 364.336, F.S., and Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunication Companies?

Recommendation: The Commission should impose a penalty and the cost of collection, together totaling \$4,000, but should not cancel the SH Services tariff nor remove the Company’s name from the register.

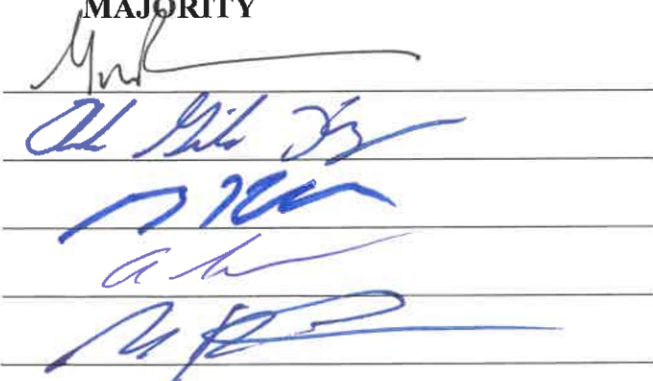
APPROVED

COMMISSIONERS ASSIGNED: Staff

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING



REMARKS/DISSENTING COMMENTS: *Oral Modification, assigned DN 04672-2021, is attached.*

Vote Sheet
June 15, 2021

Item 14

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(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: Staff recommends that the Order issued from this recommendation should become final and effective upon issuance of a Consummating Order. Thereupon, this docket should be closed administratively either upon acknowledgment that SH Services has paid in full the appropriate 2020 RAF, including accrued statutory late payment charges, along with the \$4,000 penalty, for a total amount due of \$4,708, or upon cancellation of the Company's local exchange certificate and removal of its name from the register.

APPROVED

Brian Schultz

From: Asha Maharaj-Lucas
Sent: Friday, June 11, 2021 11:29 AM
To: Commissioners & Staffs; Braulio Baez; Judy Harlow; Keith Hetrick; Mark Futrell; Mary Anne Helton; Lee Eng Tan; Charles Murphy; Bill McNulty; Andrew Kunkler; Cissy Galloway; CLK - Agenda Staff; Adam Teitzman; Apryl Lynn
Cc: Kate Hamrick; Nancy Harrison; Jacqueline Moore
Subject: RE: Request for Oral Modification to Item 14 - Dkt. No. 20210078-TX

Hello:

Please see the approval below for an Oral Modification request to Item # 14 20210078-TX on the June 15, 2021 agenda Conference.

Thanks
Asha

From: Braulio Baez
Sent: Thursday, June 10, 2021 6:49 PM
To: Judy Harlow; Keith Hetrick; Mark Futrell; Mary Anne Helton
Cc: Asha Maharaj-Lucas; Kate Hamrick; Nancy Harrison; Lee Eng Tan; Charles Murphy; Bill McNulty; Cissy Galloway; Andrew Kunkler
Subject: RE: Request for Oral Modification to Item 14 - Dkt. No. 20210078-TX

Approved. Thanks!

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: Judy Harlow <JHarlow@PSC.STATE.FL.US>
Date: 6/10/21 5:54 PM (GMT-05:00)
To: Braulio Baez <BBaez@PSC.STATE.FL.US>, Keith Hetrick <khetrick@psc.state.fl.us>, Mark Futrell <MFutrell@PSC.STATE.FL.US>, Mary Anne Helton <MHelton@PSC.STATE.FL.US>
Cc: Asha Maharaj-Lucas <AMaharaj@psc.state.fl.us>, Kate Hamrick <KHamrick@psc.state.fl.us>, Nancy Harrison <NHarriso@PSC.STATE.FL.US>, Lee Eng Tan <LTAN@PSC.STATE.FL.US>, Charles Murphy <cmurphy@PSC.STATE.FL.US>, Bill McNulty <BMcNulty@PSC.STATE.FL.US>, Cissy Galloway <CGallowa@PSC.STATE.FL.US>, Andrew Kunkler <AKunkler@psc.state.fl.us>
Subject: Request for Oral Modification to Item 14 - Dkt. No. 20210078-TX

Staff requests approval for an oral modification to Item 14, Docket No. 20210078-TX -- Compliance investigation of local exchange Certificate No. 8511, issued to SH Services LLC, for apparent fourth-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. The oral modification will reflect a June 10, 2021 change made to the docket title in order to match the company's name in the docket title with the name that is listed in the master commission directory. This docket is currently scheduled to be heard as Item 14 at the June 15, 2021 Agenda Conference, which begins at 9:30am.

Staff's modification will be limited to the cover page and beginning sentence of the Case Background. Staff's proposed modification will replace "SH Services LLC" in the docket title of the recommendation template section, with "Optical Telecommunications, Inc. d/b/a HControl Corporation d/b/a SH Services LLC."

Similarly, in the Case Background, first sentence, "SH Services LLC" will be replaced to read "Optical Telecommunications, Inc. d/b/a HControl Corporation d/b/a SH Services LLC..." rather than "SH Services LLC..." These changes have no bearing on staff's recommendation. These changes are highlighted in the attached file and below:

State of Florida



Public Service Commission

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

-M-E-M-O-R-A-N-D-U-M-

DATE: June 3, 2021

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Economics (Kunkler, Galloway)
Office of the General Counsel (Murphy, Tan)

RE: Docket No. 20210078-TX - Compliance investigation of local exchange Certificate No. 8511, issued to ~~SH Services LLC~~ Optical Telecommunications, Inc. d/b/a HControl Corporation d/b/a SH Services LLC, for apparent fourth-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees: Telecommunications Companies.

AGENDA: 06/15/21 - Regular Agenda - Interested Persons May Participate

COMMISSIONERS ASSIGNED: Staff

PREHEARING OFFICER: Administrative

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

~~SH Services LLC~~ Optical Telecommunications, Inc. d/b/a HControl Corporation d/b/a SH Services LLC (SH Services or the Company) is a regulated telecommunications company located in Miami, Florida. The Company's application for a competitive local exchange telecommunications services certificate was approved by the Commission on August 11, 2004, by Order No. PSC-04-0787-PAA-TX. Pursuant to Section 364.336, Florida Statutes (F.S.), certificate holders must pay a minimum annual Regulatory Assessment Fee (RAF) if the certificate was active during any portion of the calendar year.

Pursuant to Section 350.113(4), F.S., RAF forms are mailed to regulated companies for the period January 1 through December 31, at least 45 days prior to the date that payment of the fee