

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of  
Interexchange Telecommunications  
Certificate No. 4012 issued to  
Call America Long Distance, Inc.  
for violation of Rule 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees; Telecommunications  
Companies.

DOCKET NO. 981721-TI  
ORDER NO. PSC-99-1364-FOF-TI  
ISSUED: July 15, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JULIA L. JOHNSON  
E. LEON JACOBS, JR.

ORDER GRANTING VOLUNTARY CANCELLATION

BY THE COMMISSION:

On March 14, 1995, we granted Call America Long Distance, Inc. (Call America) IXC Certificate No. 4012. On December 11, 1997, our Division of Administration mailed the 1997 regulatory assessment fee (RAF) notice by certified mail to Call America. Our staff received a U.S. Postal Service return receipt that indicated that Call America had received the RAF notice on December 15, 1997.

On November 5, 1998, our staff determined that Call America had not paid its 1997 RAFs, nor had it paid the statutory penalty and interest due for that year. A docket was opened to address this matter.

Subsequently, on December 22, 1998, Mr. Kevin Dornan, Call America's General Counsel, contacted our staff. He indicated that the company would like to retain its certificate and would, therefore, pay the amount past due. He also stated that the company would make a settlement offer in an effort to resolve any further concerns that we might have.

DOCUMENT NUMBER-DATE

08434 JUL 15 99

FPSC-RECORDS/REPORTING

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Call America paid in full the amount past due, including statutory penalty and interest charges. Call America also paid its 1998 regulatory assessment fees. In order to resolve this Docket, the company proposed to pay future regulatory assessment fees by the due date of each year and offered a \$100 settlement. By Order No. PSC-99-0478-AS-TI, issued March 8, 1999, we approved Call America's settlement offer and required the company to pay the amount by March 15, 1999.

On April 13, 1999, our staff contacted Call America because we had not received the \$100 settlement amount. Our staff left a message with Mr. Dornan's voice mail. On May 5, 1999, our staff tried to contact Mr. Dornan again, but his office telephone and fax numbers had been disconnected. Our staff located another company phone number and was able to leave a message requesting an immediate response regarding the unpaid settlement amount.

On May 11, 1999, Mr. Dornan advised our staff that Call America was involved in bankruptcy proceedings and would, therefore, be unable to pay the \$100 settlement amount. He requested that Call America's certificate be voluntarily cancelled.

Although we accepted the company's settlement offer to pay a \$100, we acknowledge that Call America cannot comply with its original offer because it is involved in bankruptcy proceedings. We also emphasize that the company is no longer providing telecommunications services in Florida and has paid all outstanding RAFs for 1997 and 1998, as well as all statutory penalty and interest charges. Therefore, we hereby approve Call America's voluntary cancellation of IXC Certificate No. 4012, effective December 31, 1998.

It is therefore

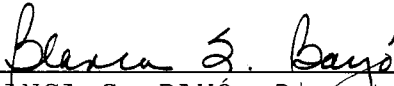
ORDERED by the Florida Public Service Commission that Call America Long Distance, Inc.'s request for voluntary cancellation of Certificate No. 4012 is granted. It is further

ORDERED that the cancellation of Certificate No. 4012 is effective as of December 31, 1998. It is further

ORDERED that this Docket shall be closed.

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By ORDER of the Florida Public Service Commission this 15th  
day of July, 1999.

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

BK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

M E M O R A N D U M

July 15, 1999

RECEIVED-FPSC

99 JUL 15 AM 11:37

RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK CB*

RE: DOCKET NO. 981721-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 4012 ISSUED TO CALL AMERICA LONG DISTANCE, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

*PSC-99-1364-FOF-TZ*

Attached is an ORDER GRANTING VOLUNTARY CANCELLATION, to be issued in the above-referenced docket. (Number of pages in order - 3)

BK/anc  
Attachment  
cc: Division of Communications  
I: 981721or.bk

*See 1, 2, 3*

*11f*

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Date 7, 15, 99  
 Number of Originals 3 Copies Per Original 17  
 Requested By Mark K.

Item Presented

Agenda For (Date) \_\_\_\_\_ Order No. 79-1364 In Docket No. 981721-TI  
 Notice of \_\_\_\_\_ For (Date) \_\_\_\_\_ In Docket No. \_\_\_\_\_  
 Other \_\_\_\_\_

Special Handling Instructions

Distribution/Mailing

Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>17</u>	<u>Commission Offices</u>	<u>---</u>	<u>_____</u>
<u>8</u>	<u>Docket Mailing List - Mailed</u>	<u>_____</u>	<u>_____</u>
<u>11</u>	<u>Docket Mailing List - Faxed</u>	<u>_____</u>	<u>_____</u>

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 185 Verified By Michael  
 Date and Time Completed 7/21 Job Checked For Correctness and Quality (Initial) U

Mail Room Verification

Date Mailed 7/21 Verified By 7/21