

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of
Interexchange Telecommunications
Certificate No. 5299 issued to
Vox Populi Telecommunications,
Inc. for violation of Rule 25-
4.0161, F.A.C., Regulatory
Assessment Fees;
Telecommunications Companies.

DOCKET NO. 991601-TI
ORDER NO. PSC-00-0014-AS-TI
ISSUED: January 5, 2000

The following Commissioners participated in the disposition of
this matter:

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

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Vox Populi Telecommunications, Inc. (Vox Populi) currently holds Certificate of Public Convenience and Necessity No. 5299, issued by the Commission on February 7, 1998, authorizing the provision of interexchange service. Commission records showed that Vox Populi had not paid the 1998 Regulatory Assessment Fees (RAFs). Also, accrued statutory penalties and interest charges for late RAF payments for the year 1998 had not been paid. RAFs are required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.

All entities that apply for certification receive a copy of our rules governing interexchange service. All applicants must attest that these rules have been received and understood by the applicant and an affidavit must be attached to the application in order for the application to be processed.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. The RAFs form was mailed to Vox Populi for the period of January 1, 1998, through

DOCUMENT NUMBER-DATE

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December 31, 1998, on January 9, 1999. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. However, pursuant to Section 350.113(4), Florida Statutes, the Commission shall provide at least a 45 days notice of the date the payment is due prior to the due date. Vox Populi was scheduled to remit its RAFs by February 1, 1999.

On November 1, 1999 Vox Populi sent a fax to the Commission which showed a check stub dated February 19, 1999 for the 1998 RAFs. The company explained that the check had been mailed to, but apparently not received by, the Commission. On November 9, 1999 the Commission received from the company a check for the past due RAFs, statutory penalty, and interest charges.

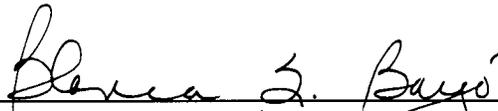
Due to the extenuating circumstances, we believe that Vox Populi did attempt to comply with Commission rules and that it would serve no purpose to fine Vox Populi. This is consistent with prior Commission decisions made under similar circumstances. Accordingly, we hereby accept the terms of Vox Populi's settlement agreement.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Vox Populi Telecommunications, Inc.'s settlement proposal summarized in the body of this Order is hereby approved. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission this 5th day of January, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)
MKS

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

December 29, 1999

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RECORDS AND REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (STERN) *MKS* *1/12*

RE: DOCKET NO. 991601- TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 5299 ISSUED TO VOX POPULI TELECOMMUNICATIONS, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

06-0014-AS

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

MKS/anc
Attachment
cc: Division of Communications
I: 991601fi.mks

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