

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of  
Interexchange Telecommunications  
Certificate No. 3963 issued to  
Global Long Distance, Inc. d/b/a  
800 Customers Service for  
violation of Rule 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees; Telecommunications  
Companies.

DOCKET NO. 991515-TI  
ORDER NO. PSC-00-0238-PAA-TI  
ISSUED: February 7, 2000

The following Commissioners participated in the disposition of  
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER IMPOSING FINE AND REQUIRING PAYMENT OF REGULATORY  
ASSESSMENT FEES, OR CANCELING INTEREXCHANGE  
TELECOMMUNICATIONS CERTIFICATE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service  
Commission that the action discussed herein is preliminary in  
nature and will become final unless a person whose interests are  
substantially affected files a petition for a formal proceeding,  
pursuant to Rule 25-22.029, Florida Administrative Code.

On January 11, 1995, we granted Global Long Distance, Inc.  
d/b/a 800 Customers Service (800 Customers Service) IXC Certificate  
No. 3963. The Division of Administration's records show that the  
company has not paid its 1998 regulatory assessment fee (RAF), and  
has not paid statutory penalty and interest charges for 1998 and  
1995.

On December 10, 1998, the Division of Administration mailed  
800 Customers Service its regulatory assessment fee (RAF) notice

DOCUMENT NUMBER-DATE

01639 FEB-78

FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-0238-PAA-TI  
DOCKET NO. 991515-TI  
PAGE 2

for 1998. Section 350.113(4), Florida Statutes, requires that each company be given at least 45 days, after receiving notice, to pay its RAF. Thus, 800 Customer Service should have paid the RAF by February 1, 1999. The fee was not received by the due date and on March 17, 1999, the Division of Administration mailed the company a delinquent letter.

On October 22, 1999, we received a letter from the company's president, Mr. Larry Shipp, requesting information concerning the violation. On October 25, 1999, our staff sent the company information explaining that our records showed the 1998 RAF had not been paid, and that penalty and interest charges from the 1995 RAF were past due. Later the same day, our staff received an e-mail from Mr. Shipp, which advised that he would research the matter and correct the oversight. The company has not yet paid the past due amount or communicated further with staff.

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. All entities that apply for certification receive a copy of our rules governing IXC 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. Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees and provides for penalties and interest on any delinquent amounts.

Pursuant to Section 364.285, Florida Statutes, we may impose a fine or cancel a certificate if a company refuses to comply with our rules. Rule 25-24.474, Florida Administrative Code, provides that we may cancel a certificate on our own motion for violation of our rules and Orders.

Although the company initially contacted our staff back in October 1999, as of December 29, 1999, there has been no further contact and our records show that the RAF remains unpaid. Therefore, it appears the company has failed to comply with Rule 25-4.0161, Florida Administrative Code.

Pursuant to Section 364.336, Florida Statutes, we find it appropriate to assess a \$500 fine for failure to comply with Rule 25-4.0161, Florida Administrative Code. The fine will be remitted to the Comptroller for deposit in the State of Florida General Revenue Fund, pursuant to Section 364.516, Florida Statutes.

ORDER NO. PSC-00-0238-PAA-TI  
DOCKET NO. 991515-TI  
PAGE 3

Imposition of the fine is in addition to the requirement that 800 Customers Service must pay its past due RAF for 1998, and penalties and interest charges for 1995 and 1998. The fine, RAF, and penalty and interest charges, are due within five business days after the issuance of the Consummating Order. If we do not receive these required payments by the due date, the company's interexchange telecommunications certificate will be canceled administratively, in accordance with Rule 25-24.474, Florida Administrative Code.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Global Long Distance, Inc. d/b/a 800 Customers Service must pay the past due Regulatory Assessment Fees, statutory penalties, interest charges, and a \$500 fine to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within five business days after the issuance of the Consummating Order. The fine will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that should Global Long Distance, Inc. d/b/a 800 Customers Service fail to comply with this Order, Global Long Distance, Inc. d/b/a 800 Customers Service's Certificate No. 3963 shall be canceled, and the Docket shall be closed. It is further

ORDERED that the cancellation of the certificate and the closing of the docket in no way diminishes Global Long Distance, Inc. d/b/a 800 Customers Service's obligation to pay applicable delinquent Regulatory Assessment Fees for 1998, and delinquent statutory penalties and interest charges for 1998 and 1995. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed upon payment of the fine, and fees, or upon cancellation of the certificate.

ORDER NO. PSC-00-0238-PAA-TI  
DOCKET NO. 991515-TI  
PAGE 4

By ORDER of the Florida Public Service Commission this 7th day of February, 2000.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( 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 that is available under Section 120.57, 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 will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on February 28, 2000.

ORDER NO. PSC-00-0238-PAA-TI  
DOCKET NO. 991515-TI  
PAGE 5

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.