

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of
Interexchange Telecommunications
Certificate No. 4864 issued to
FaciliCom International, L.L.C.
for violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees; Telecommunications
Companies.

DOCKET NO. 991566-TI
ORDER NO. PSC-00-1053-PAA-TI
ISSUED: June 1, 2000

The following Commissioners participated in the disposition of
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING VOLUNTARY CANCELLATION OF 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.

CASE BACKGROUND

On May 13, 1997, FaciliCom International, L.L.C. (FaciliCom)
obtained IXC Certificate No. 4864. On January 6, 2000, Order No.
PSC-00-0042-PAA-TI was issued requiring that FaciliCom's IXC
certificate be cancelled if the company did not pay past due
Regulatory Assessment Fees (RAFs) plus penalty and interest charges
and a \$500.00 fine. The company had until January 27, 2000, to
protest the Order.

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On January 11, 2000, Ms. Eileen Jordan called on behalf of FaciliCom and advised that the company would pay the past due amount and propose a settlement. A check for the past due amount and a settlement offer were received on January 25, 2000.

After we received the settlement offer and before a recommendation on the settlement was prepared, Facilicom's 1999 RAFs became past due. On March 10, 2000, our staff called the company and advised that the 1999 RAF must be paid prior to staff filing a recommendation to accept the company's settlement offer. On March 23, 2000, we received the company's payment for the 1999 RAF, penalty, and interest charge. The company reported no revenues for the period ended December 31, 1999.

On April 13, 2000, we received a letter from the company's president, Mr. Walter J. Burmeister, requesting voluntary cancellation of its certificate.

We find that FaciliCom has complied with the provision of Rule 25-24.474(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation of its IXC certificate and by submitting its regulatory assessment fees (RAFs) for 1999. Under these circumstances, we find it appropriate to grant FaciliCom International, L.L.C. a voluntary cancellation of its IXC certificate to be effective on April 13, 2000, the date the request for cancellation was received. Facilicom shall return its certificate to this Commission.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee of \$50 if the certificate was active during any portion of the calendar year in which the certificate was cancelled. A RAFs Return notice for 2000 will be mailed to Facilicom. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for 2000 shall relieve Facilicom from its obligation to pay RAFs for 2000.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that FaciliCom International, L.L.C.'s Certificate No. 4864 to provide Interexchange Telecommunications services is hereby cancelled effective April 13, 2000. It is further

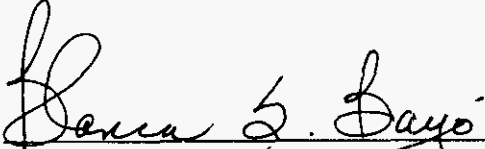
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ORDERED that FaciliCom International, L.L.C. shall return its certificate to this Commission and remit Regulatory Assessment Fees for 2000. It is further

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 or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 1st day of June, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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 June 22, 2000.

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.