

Original

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of IXC  
Certificate No. 5697 issued to  
Preferred Voice, Inc. for  
violation of Rule 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees; Telecommunications  
Companies.

DOCKET NO. 991832-TI  
ORDER NO. PSC-00-1078-FOF-TI  
ISSUED: June 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.  
LILA A. JABER

ORDER CANCELING INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE

BY THE COMMISSION:

Preferred Voice, Inc. (Preferred Voice) currently holds  
Certificate of Public Convenience and Necessity No. 5697, issued by  
the Commission on September 22, 1998, authorizing the provision of  
Interexchange Telecommunications service (IXC). The Division of  
Administration advised our staff by memorandum that Preferred Voice  
had not paid the Regulatory Assessment Fees (RAFs) required by  
Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida  
Administrative Code, for the year 1998. Also, accrued statutory  
penalties and interest charges for late RAFs payments for the year  
1998 had not been paid.

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. 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. All entities that apply for certification

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-1078-FOF-TI  
DOCKET NO. 991832-TI  
PAGE 2

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.

After Order No. PSC-00-0523-PAA-TI was issued, which imposed a \$500 fine or canceled the company's certificate, Preferred Voice contacted our staff, paid the 1998 and 1999 RAFs, including accrued statutory penalties and interest charges, and requested voluntary cancellation of its certificate.

Preferred Voice 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 RAFs for the years 1998 and 1999. Accordingly, we find it appropriate to cancel IXC Certificate No. 5697, effective March 23, 2000.

Preferred Voice shall return its certificate to this Commission. In addition, pursuant to 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. A RAFs Return notice for the year 2000 will be mailed to Preferred Voice. Neither the cancellation of its certificate nor the failure to receive a RAFs Return notice for the year 2000 shall relieve Preferred Voice from its obligation to pay RAFs for the year 2000.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Preferred Voice, Inc.'s Certificate No. 5697 to provide Interexchange Telecommunications services is hereby canceled, effective March 23, 2000. It is further

ORDERED that Preferred Voice, Inc. shall return its certificate to this Commission and remit Regulatory Assessment Fees for the year 2000. It is further

ORDERED that this Docket is closed.

ORDER NO. PSC-00-1078-FOF-TI  
DOCKET NO. 991832-TI  
PAGE 3

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

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

KMP

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

June 5, 2000

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RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *VMP* *Quayle*

RE: DOCKET NO. 991832-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF IXC CERTIFICATE NO. 5697 ISSUED TO PREFERRED VOICE, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

*12-3-FOF*

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Attached is an ORDER CANCELING INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE, to be issued in the above-referenced docket. (Number of pages in order - 3)

KMP/anc  
Attachment  
cc: Division of Communications  
I: 991832v.kmp

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