

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of
Interexchange Telecommunications
Certificate No. 4000 issued to
CMC Telecom, Inc. for violation
of Rule 25-4.0161, F.A.C.,
Regulatory Assessment Fees;
Telecommunications Companies.

DOCKET NO. 001229-TI
ORDER NO. PSC-00-2484-AS-TI
ISSUED: December 22, 2000

The following Commissioners participated in the disposition of
this matter:

J. TERRY DEASON, Chairman
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

CMC Telecom, Inc. (CMC) currently holds Certificate of Public
Convenience and Necessity No. 4000, issued by the Commission on
July 4, 2000 authorizing the provision of Interexchange
Telecommunications service. CMC has paid the Regulatory Assessment
Fees [RAF(s)] required by Section 364.336, Florida Statutes, and
Rule 25-4.0161, Florida Administrative Code, for the year 1999.
Also, accrued statutory penalties and interest charges for the year
1999 have 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
receive a copy of our rules governing Interexchange
Telecommunications service. All applicants must attest that these

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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 350.113(4), Florida Statutes, the RAFs forms for the period of January 1 through December 31, are mailed to entities at least 45 days prior to the date that payment of the fees is due. 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. CMC was scheduled to remit its RAFs by January 31, 2000.

However, on October 27, 2000, after the docket was opened, this Commission received CMC's payment for outstanding RAF, including penalty and interest charges and a letter which offered to pay a \$500 contribution.

Due to the circumstances, we believe that CMC should be allowed to comply with Commission rules and that it would serve no purpose to fine CMC. Accordingly, we hereby accept the terms of CMC's settlement agreement.

This Commission is vested with jurisdiction over this matter pursuant to the provision of Section 364.336, Florida Statutes.

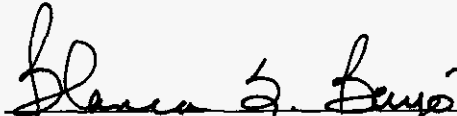
Based on the foregoing, it is

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

ORDERED that this Docket is closed.

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By ORDER of the Florida Public Service Commission this 22nd
day of December, 2000.



BLANCA S. BAYO, Director
Division of Records and Reporting

(S E A L)

FRB

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

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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.