

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of  
Interexchange Telecommunications  
Certificate No. 5672 issued to  
iTELSA (USA), Inc. for violation  
of Rule 25-4.0161, F.A.C.,  
Regulatory Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 010735-TI  
ORDER NO. PSC-01-1991-AS-TI  
ISSUED: October 8, 2001

The following Commissioners participated in the disposition of  
this matter:

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

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

iTELSA (USA), Inc. (iTELSA) obtained Certificate No. 5672 on  
July 14, 1998, to provide Interexchange telecommunications (IXC)  
service. iTELSA had not paid the 2000 Regulatory Assessment Fees  
(RAFs). Also, accrued statutory penalties and interest charges for  
late RAFs payments for the year 2000 had not been paid. RAFs are  
required by Section 364.336, Florida Statutes, and Rule 25-4.0161,  
Florida Administrative Code.

Pursuant to Section 364.336, Florida Statutes, certificate  
holders must pay a minimum annual RAFs 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 IXC service.

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

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fee is due. iTELSA was scheduled to remit its RAFs by January 30, 2001.

After this docket was opened, on May 25, 2001, Mr. Richard Militello, representative of iTELSA, called our staff and advised that the past due amount would be paid, and iTELSA would propose a settlement offer. On June 29, 2001, we received the 2000 RAFs, including accrued statutory penalties and interest charges, and a settlement proposal. iTELSA offered to contribute \$500 to the State General Revenue Fund, and proposed to pay future RAFs on a timely basis.

This is the second docket established for the same rule violation. In the prior docket, No. 991824-TI, the company paid the past due amount and proposed to pay future RAFs on a timely basis. On March 9, 2000, Order No. PSC-00-0520-AS-TI was issued, which accepted the settlement. The company paid the \$100 contribution and the docket was closed. The recommended settlement amount in this docket is consistent with amounts the Commission has accepted for recent, similar violations.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. iTELSA must comply with these requirements within ten business days from the date this Order becomes final. The contribution should be identified with the docket number and the company name. Upon timely receipt, the contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. iTELSA has waived any objection to the administrative cancellation of its certificate if it does not comply with its settlement agreement. Upon remittance of the \$500 contribution or cancellation of the certificate, this docket shall be closed. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.337, and 364.285, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that iTELSA (USA), Inc.'s settlement proposal set forth in the body of this Order is hereby approved. It is further

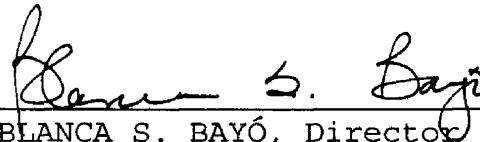
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ORDERED that this docket shall remain open pending receipt of the \$500 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that if iTELSA (USA), Inc. fails to comply with this Order, its certificate will be canceled administratively. It is further

ORDERED that upon receipt of the \$500 contribution or cancellation of the certificate this docket shall be closed.

By ORDER of the Florida Public Service Commission this 8th Day of October, 2001.



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BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

( S E A L )

JAE

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.

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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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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.