

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of IXC  
Certificate No. 4463 issued to  
North American Communications  
Control, Inc. for violation of  
Rule 25-4.0161, F.A.C.,  
Regulatory Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 010897-TI  
ORDER NO. PSC-01-2003-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:

North American Communications Control, Inc. (North American  
Communications Control) obtained Certificate No. 4463 on June 25,  
1996, to provide Interexchange Telecommunications service. North  
American Communications Control 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 Interexchange  
Telecommunications service.

DOCUMENT NUMBER-DATE

12769-OCT-8

FPSC-COMMISSION CLERK

ORDER NO. PSC-01-2003-AS-TI  
DOCKET NO. 010897-TI  
PAGE 2

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 fee is due. North American Communications Control was scheduled to remit its RAFs by January 30, 2001.

This is the second docket established for the same rule violation. In Docket, No. 991539-TI, North American Communications Control paid the past due amount and proposed a \$500 settlement. In addition, North American Communications Control proposed to pay future RAFs on a timely basis. On April 25, 2000, Order No. PSC-00-0809-AS-TI was issued, which accepted the settlement. North American Communications Control paid the \$500 contribution and the docket was closed.

After this docket was opened, the Commission received the payment for the outstanding RAFs, including statutory penalty and interest charges, and a letter from North American Communications Control which offered to pay a \$500 contribution and proposed to pay future RAFs on a timely basis.

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. North American Communications Control 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. North American Communications Control 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

ORDER NO. PSC-01-2003-AS-TI  
DOCKET NO. 010897-TI  
PAGE 3

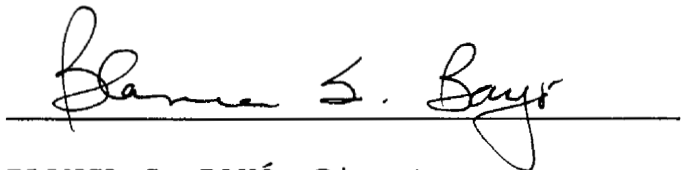
ORDERED by the Florida Public Service Commission that North American Communications Control, Inc.'s settlement proposal set forth in the body of this Order is hereby approved. It is further

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 North American Communications Control, 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.



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

( 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

ORDER NO. PSC-01-2003-AS-TI  
DOCKET NO. 010897-TI  
PAGE 4

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 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.