

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 5810 issued to Public Payphone U.S.A., Inc. d/b/a Public Communications Services, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 011024-TI

In re: Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 7125 issued to Voice Vision International, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 011038-TI

In re: Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 7188 issued to TransNet Connect, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 011039-TI

ORDER NO. PSC-01-2193-PAA-TI

ISSUED: November 9, 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

DOCUMENT NUMBER-DATE

14284 NOV-95

FPSC-COMMISSION CLERK

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NOTICE OF PROPOSED AGENCY ACTION
ORDER IMPOSING FINES AND REQUIRING PAYMENT OF
DELINQUENT REGULATORY ASSESSMENT FEES, OR CANCELING
INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATES

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.

The entities listed below have not paid the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the years specified below. Also, accrued statutory penalties and interest charges have 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 receive a copy of our rules governing Interexchange Telecommunications service.

Pursuant to Section 350.113(4), Florida Statutes, the RAFs forms, for the period of January 1 through December 31, are mailed to the entities at least 45 days prior to the date that payment of the fee is due. The entities have been given adequate opportunity to pay. As of the date of the vote, the entities have not paid the required fees.

For the reason described above, pursuant to Rule 25-24.474(1)(b) and (c), Florida Administrative Code, we find it appropriate to cancel each entity's certificate for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, unless each entity pays a \$500 fine and remits all past due RAFs, along with accrued statutory penalties and interest charges, to the Florida Public Service

Commission. Each entity must comply with these requirements within five business days after the issuance of the Consummating Order, as explained in the Notice of Further Proceedings attached to this Order. The payment should be identified with the docket number and the entity's name. The fines will be remitted to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund, pursuant to Section 364.285 (1), Florida Statutes.

| <u>ENTITY'S NAME</u> | <u>CERTIFICATE NO.</u> | <u>PAST DUE RAFS</u> | <u>PAST DUE PENALTIES AND INTEREST</u> |
|--|------------------------|----------------------|--|
| Public Payphone U.S.A., Inc. d/b/a Public Communications Services, Inc. | 5810 | 2000 | 2000 |
| Voice Vision International, Inc. | 7125 | 2000 | 2000 |
| TransNet Connect, Inc. | 7188 | 2000 | 2000 |

When the appropriate fees, statutory penalties, interest charges, and fines are received, each Docket shall be closed. Should any of the entities fail to comply with this Order within five business days after the issuance of the Consummating Order, the entity shall have its certificate canceled, effective on the date of issuance of the Consummating Order, the collection of the past due fees shall be referred to the Office of the Comptroller for further collection efforts, and the Docket shall be closed. The cancellation of the certificate in no way diminishes any of the entity's obligation to pay applicable delinquent RAfs, and accrued statutory penalties and interest charges. We are 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 each of the entities listed herein shall pay the past due Regulatory Assessment Fees, statutory penalties, interest charges, and a \$500 fine to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within five business days after the issuance of the Consummating Order. The fines will be transmitted to the

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Office of the Comptroller for deposit in the State of Florida
General Revenue Fund. It is further

ORDERED that should any of the entities fail to comply with
this Order, that entity's certificate shall be canceled, effective
on the date of issuance of the Consummating Order, the collection
of the past due fees shall be referred to the Office of the
Comptroller for further collection efforts, and the respective
Docket shall be closed. It is further

ORDERED that the cancellation of the certificate in no way
diminishes any of the entities' obligation to pay applicable
delinquent Regulatory Assessment Fees, and accrued statutory
penalties and interest charges. It is further

ORDERED that any protest to the action proposed herein shall
specify the entity or entities to which it applies. It is further

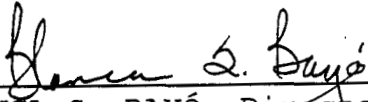
ORDERED that, if a protest to this Order is filed, the protest
shall not prevent the action proposed herein from becoming final
with regard to the remaining entities listed in this Order. It is
further

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 the Commission Clerk and
Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee,
Florida 32399-0850, by the close of business on the date set forth
in the "Notice of Further Proceedings" attached hereto. It is
further

ORDERED that in the event this Order becomes final, these
dockets shall be closed upon payment of the fines, and fees, or
upon cancellation of the certificates.

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By ORDER of the Florida Public Service Commission this 9th Day
of November, 2001.



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 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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on November 30, 2001.

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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.