

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of IXC  
certificates for violation of  
Rule 25-4.0161, F.A.C.,  
Regulatory Assessment Fees;  
Telecommunications Companies.

No. 2993	Capsule Communications, Inc.	DOCKET NO. 020654-TI
No. 3520	Atlas Communication Consultants, Inc.	DOCKET NO. 020655-TI
No. 3488	EqualNet Corporation	DOCKET NO. 020656-TI
No. 3526	CTS Telcom, Inc.	DOCKET NO. 020658-TI
No. 4024	American Telesource International, Inc.	DOCKET NO. 020659-TI
No. 4373	Federal TransTel, Inc.	DOCKET NO. 020661-TI
No. 4374	Ursus Telecom, Inc.	DOCKET NO. 020662-TI
No. 4421	Blue Shift Telecom, Ltd.	DOCKET NO. 020663-TI
No. 5161	TELCAM, Telecommunications Company of the Americas	DOCKET NO. 020676-TI
No. 5288	United Services Telephone, LLC	DOCKET NO. 020679-TI
No. 5676	Telecom Network System International, Inc. d/b/a TNS	DOCKET NO. 020688-TI
No. 5809	2 <sup>nd</sup> Century Communications, Inc.	DOCKET NO. 020691-TI
No. 7128	USC Telecom, Inc.	DOCKET NO. 020696-TI
No. 7179	i-TeleCo.com, Inc.	DOCKET NO. 020698-TI
No. 7263	Connect!LD, Inc.	DOCKET NO. 020699-TI
No. 7446	BroadRiver Communication Corporation	DOCKET NO. 020704-TI
No. 7547	Multiphone Latin America, Inc.	DOCKET NO. 020705-TI
No. 7554	Cybertel, Communications Corp.	DOCKET NO. 020716-TI
No. 7505	eVulkan, Inc. d/b/a beMANY!	DOCKET NO. 020717-TI

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No. 7567 Radio Communications Corporation d/b/a RCC Radio Communications Corporation	DOCKET NO. 020718-TI
No. 7621 Global Broadband, Inc.	DOCKET NO. 020723-TI
No. 7693 Backbone Communications Inc.	DOCKET NO. 020728-TI
No. 7654 Eureka Telecom, LLC	DOCKET NO. 020729-TI
No. 7667 Evolution Networks South, Inc.	DOCKET NO. 020730-TI
No. 7717 Summit Telco, L.L.C.	DOCKET NO. 020734-TI
No. 7732 RapTel Communications, LLC	DOCKET NO. 020736-TI
No. 7826 Quick Tel, Inc.	DOCKET NO. 020750-TI
No. 7855 TotalCom America Corporation	DOCKET NO. 020751-TI
No. 7878 IntelleCare.FL., Inc.	DOCKET NO. 020752-TI
No. 7873 Miketronics, Inc.	DOCKET NO. 020754-TI
No. 7915 Aventura Networks, Inc.	DOCKET NO. 020758-TI
	ORDER NO. PSC-02-1443-PAA-TI
	ISSUED: October 21, 2002

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman  
 J. TERRY DEASON  
 BRAULIO L. BAEZ  
 MICHAEL A. PALECKI  
 RUDOLPH "RUDY" BRADLEY

NOTICE OF PROPOSED AGENCY ACTION  
ORDER IMPOSING PENALTIES 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.

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Each of the telecommunications providers listed below have not paid their 2001 Regulatory Assessment Fees, plus statutory penalty and interest charges. Therefore, it appears the companies have failed to comply with Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code, and have not requested cancellation of their respective certificates in compliance with Rule 25-24.474, Florida Administrative Code.

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>	<u>PAST DUE RAFS</u>	<u>PAST DUE PENALTIES AND INTEREST</u>
Capsule Communications, Inc.	2993	2001	1998, 1999 and 2001
Atlas Communication Consultants, Inc.	3520	2001	2001
EqualNet Corporation	3488	2001	1997, 2000 and 2001
CTS Telecom, Inc	3526	2001	1999 and 2001
American Telesource International, Inc.	4024	2001	2000 and 2001
Federal TransTel, Inc.	4373	2001	2000 and 2001
Ursus Telecom Corp.	4374	2001	2001
Blue Shift Telecom, Ltd.	4421	2001	1998 and 2001
TELCAM, Telecommunications Company of the Americas, Inc.	5161	2001	2000 and 2001

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020691-TI, 020696-TI, 020698-TI, 020699-TI, 020704-TI, 020705-TI,  
020716-TI, 020717-TI, 020718-TI, 020723-TI, 020728-TI, 020729-TI,  
020730-TI, 020734-TI, 020736-TI, 020750-TI, 020751-TI, 020752-TI,  
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<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>	<u>PAST DUE RAFS</u>	<u>PAST DUE PENALTIES AND INTEREST</u>
United Services Telephone, LLC	5288	2001	2000 and 2001
Telecom Network System International, Inc. d/b/a TNS	5676	2001	2001
2 <sup>nd</sup> Century Communications, Inc.	5809	2001	2001
USC Telecom, Inc.	7128	2001	2000 and 2001
i-TeleCo.com, Inc.	7179	2001	2001
Connect!LD, Inc.	7263	2001	2001
BroadRiver Communication Corporation	7446	2001	2001
Multiphone Latin America, Inc.	7547	2001	2000 and 2001
Cybertel, Communications Corp.	7554	2001	2000 and 2001
eVulkan, Inc. d/b/a beMANY!	7505	2001	2000 and 2001
Radio Communications Corporation d/b/a RCC Radio Communications Corporation	7567	2001	2001
Global Broadband, Inc.	7621	2001	2001
Backbone Communications Inc.	7693	2001	2001
Eureka Telecom, LLC	7654	2001	2001

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<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>	<u>PAST DUE RAFS</u>	<u>PAST DUE PENALTIES AND INTEREST</u>
Evolution Networks South, Inc.	7667	2001	2001
Summit Telco, L.L.C.	7717	2001	2001
RapTel Communications, LLC	7732	2001	2001
Quick Tel, Inc.	7826	2001	2001
TotalCom America Corporation	7855	2001	2001
IntelleCare.FL., Inc.	7878	2001	2001
Miketronics, Inc.	7873	2001	2001
Aventura Networks, Inc.	7915	2001	2001

Accordingly, we find it appropriate to assess a \$500 penalty against each entity listed above or cancel each company's respective certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code, if the penalty and the Regulatory Assessment Fees, including statutory penalty and interest charges, are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The penalty should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If a company does not protest the Commission's Order or the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, are not received, that company's certificate, as listed above, should be cancelled administratively and the collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts. If a company's certificate, as listed above, is cancelled, the respective company should be required to immediately cease and

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desist providing interexchange carrier telecommunications services in Florida.

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.337, Florida Statutes. Pursuant to Section 364.336, Florida Statutes, cancellation of an entity's certificate does not relieve the obligation to pay Regulatory Assessment Fees, including statutory penalty and interest charges, if the certificate was active during any portion of the calendar year including the year of cancellation.

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 penalty 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 14 days after the issuance of the Consummating Order. The penalties will be transmitted to the 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 if an entity's certificate is canceled in accordance with this Order, that entity shall immediately cease and desist providing Interexchange Telecommunications services in Florida. 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

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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, each docket shall be closed upon payment of the penalty, and fees, or upon cancellation of the certificate.

By ORDER of the Florida Public Service Commission this 21st Day of October, 2002.

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

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records and Hearing  
Services

( S E A L )

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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 11, 2002.

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/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.