

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. 4027 Intercontinental Communications Group, Inc. d/b/a Fusion Telecom, also d/b/a Fusion - Trucker d/b/a Call-4-Less	DOCKET NO. 020660-TI
No. 4410 World Telecommunications Services, Inc.	DOCKET NO. 020671-TI
No. 4412 Starlink Communications, LLC	DOCKET NO. 020672-TI
No. 5629 Axsys, Inc./Tel PTNS	DOCKET NO. 020686-TI
No. 5759 Long Distance America, Inc.	DOCKET NO. 020690-TI
No. 7044 ACG Telecom Services Incorporated	DOCKET NO. 020693-TI
No. 7178 Ozark Telecom, Inc.	DOCKET NO. 020697-TI
No. 7515 United Technological Systems, Inc.	DOCKET NO. 020700-TI
No. 7428 Fairpoint Communications Solutions Corp.	DOCKET NO. 020703-TI ORDER NO. PSC-02-1487-PAA-TI ISSUED: October 31, 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

DOCUMENT NO. 02-1487-PAA-TI

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NOTICE OF PROPOSED AGENCY ACTION
ORDER IMPOSING PENALTIES, REQUIRING PAYMENT OF DELINQUENT
REGULATORY ASSESSMENT FEES, OR CANCELLING 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.

Each of the telecommunications providers listed below have not paid the 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>
Intercontinental Communications Group, Inc. d/b/a Fusion Telecom, also d/b/a Fusion-Trucker d/b/a Call-4-Less	4027	2001	2001
World Telecommunications Services, Inc.	4410	2001	2001
Starlink Communications, LLC	4412	2001	2000 2001

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Axsys, Inc./TEL PTNS	5629	2001	2001
Long Distance America, Inc.	5759	2001	1999 2001
ACG Telecom Services Incorporated	7044	2001	2001
Ozark Telecom, Inc.	7178	2001	2001
United Technological Systems, Inc.	7515	2001	2001
FairPoint Communications Corp.	7428	2001	2001

This is the second docket opened against each company for nonpayment of the RAF. In each of the prior dockets, the companies listed either paid a penalty or settlement amount to resolve the dockets. 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. The penalty amount recommended in these dockets is consistent with amounts imposed for recent, similar violations.

Accordingly, we find it appropriate to assess a \$1,000 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 interest charges, are not received by the Commission with 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

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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 desist in 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 the 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 \$1,000 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

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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

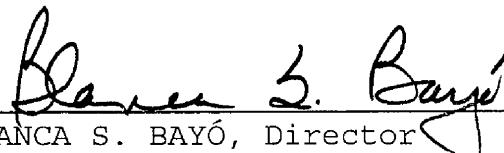
ORDERED that any protest to the action proposed herein shall specific the entity or entities to which it applies. It is further

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, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 31st Day of October, 2002.



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

(S E A L)

JAE

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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 21, 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.