

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of IXC  
Certificate No. 5329 issued to  
Telcom.Net, Inc. for violation  
of Rule 25-4.0161, F.A.C.,  
Regulatory Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 020680-TI

In re: Cancellation by Florida  
Public Service Commission of IXC  
Certificate No. 7454 issued to  
Natel, L.L.C. for violation of  
Rule 25-4.0161, F.A.C.,  
Regulatory Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 020715-TI  
ORDER NO. PSC-02-1840-AS-TI  
ISSUED: December 23, 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

ORDER APPROVING SETTLEMENTS

BY THE COMMISSION:

Telcom.Net, Inc. (Telcom.Net) currently holds Certificate of  
Public Convenience and Necessity No. 5329, authorizing the  
provision of Interexchange (IXC) Telecommunications service.  
Natel, L.L.C. (Natel) currently holds Certificate of Public  
Convenience and Necessity No. 7454, authorizing the provision of  
Interexchange (IXC) Telecommunications service.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

ORDER NO. PSC-02-1840-AS-TI  
DOCKETS NOS. 020680-TI, 020715-TI  
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Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code, which implements Section 364.336, Florida Statutes, requires the payment of Regulatory Assessment Fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts. Docket 020680-TI was established to cancel Telcom.Net's certificate for nonpayment of RAFs, penalties and interest for the year 2001. Docket 020715-TI was established to cancel Natel's certificate for nonpayment of RAFs for the year 2001 and nonpayment of penalties and interest for the years 1999 and 2001.

After these dockets were established, the companies contacted us and subsequently paid the past due amounts, including statutory penalty and interest charges, and they also proposed settlements. This is the first enforcement docket established for both companies for this rule violation. Each company offered to pay a \$250 contribution and proposed to pay future RAFs on a timely basis. These settlement amounts are consistent with amounts accepted for recent, similar violations. 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.

Accordingly, we accept each company's respective settlement proposal of \$250. Any contribution shall be received by the us within fourteen (14) calendar days from the date of our Order and shall identify the docket number and company name. We shall forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If either of the companies fails to pay in accordance with the terms of this Order, that company's respective certificate shall be cancelled administratively. If a company's certificate is cancelled in accordance with this Order, the respective company shall immediately cease and desist providing interexchange carrier services in Florida.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Telcom.Net, Inc.'s and Long Distance America, Inc.'s settlement proposals set forth in the body of this Order are hereby approved. It is further

ORDERED that the settlement amounts must be received within 14 days of the issuance of this Order. It is further

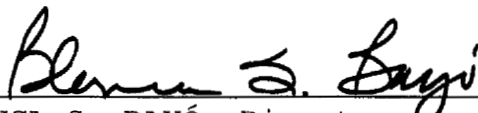
ORDERED that this docket shall remain open pending timely receipt of the \$250 contributions. The contributions will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that if Telcom.Net, Inc. or Natel, L.L.C. fails to comply with this Order, its certificate will be canceled administratively. It is further

ORDERED that if Telcom.Net, Inc.'s or Long Distance America, Inc.'s certificate is canceled in accordance with this Order, Telcom.Net, Inc. or Natel, L.L.C. shall immediately cease and desist providing Alternative Local Exchange services in Florida. It is further

ORDERED that upon receipt of the \$250 contributions or cancellation of the certificates this docket shall be closed.

By ORDER of the Florida Public Service Commission this 23rd day of December, 2002.

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

( S E A L )

WDK

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.

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.