

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of PATS Certificate No. 5909 issued to Publicall Telecommunications Inc. for violation of Rule 25-4.161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 030710-TC
ORDER NO. PSC-04-0142-AS-TC
ISSUED: February 11, 2004

ORDER APPROVING SETTLEMENT

On October 17, 2003, Order No. PSC-03-1151-PAA-TC was issued, which imposed a \$1,000 penalty for violation of Rule 25-4.0161, Florida Administrative Code, upon Publicall Telecommunications, Inc. On November 6, 2003, this Commission received Publicall's payment for the outstanding Regulatory Assessment Fee, including statutory late payment charges, and a letter from the company which offered to pay a \$500 contribution, which has since been paid, along with payment of outstanding RAFs, penalties and interest. In addition, Publicall proposed to pay future RAFs on a timely basis. The settlement amount in this docket is consistent with amounts the Commission has accepted for recent, similar violations.

Rule 25-4.0161, 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 late payment charges as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

Accordingly, we find the terms of the settlement agreement should be accepted. This Commission shall forward the contribution to the Florida Department of Financial Services for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes

It is therefore

ORDERED by the Florida Public Service Commission that Publicall Telecommunications, Inc.'s \$500 contribution was paid as terms of the proposed settlement. It is further

ORDERED that this Commission shall forward the contribution to the Florida Department of Financial Services for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. It is further

ORDERED that this docket is closed.

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

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By ORDER of the Florida Public Service Commission this 11th day of February, 2004.

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

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(SEAL)

JPR

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

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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.