

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Cancellation of tariff and removal from register by Florida Public Service Commission of IXC Registration No. TJ008 issued to Executive Business Centers, Inc. for violation of Section 364.336, Florida Statutes.

DOCKET NO. 030760-TI  
ORDER NO. PSC-04-0318-AS-TI  
ISSUED: March 24, 2004

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH 'RUDY' BRADLEY  
CHARLES M. DAVIDSON

ORDER ACCEPTING SETTLEMENT OFFER

BY THE COMMISSION:

The Florida Public Service Commission hereby accepts the settlement proposal of Executive Business Centers, Inc. The proposed \$500 contribution should be received by this Commission within fourteen (14) calendar days from the date of the Commission Order and shall identify the docket number and company name. 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. If the company fails to pay in accordance with the terms of this Commission's order, the company's tariff should be cancelled and its name removed from the register administratively. In addition, the company should be required to immediately cease and desist providing intrastate interexchange services in Florida. If the company's tariff is cancelled and its name removed from the register, and subsequently decides to reapply for registration as an intrastate interexchange telecommunications company, the company shall be required to first pay any outstanding RAF, including statutory late payment charges, and the contribution.

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.

After this docket was opened, but prior to our staff filing a recommendation, this Commission received the company'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 and proposed to pay future RAFs on a timely basis. In addition, the company has paid the 2003 RAFs.

DOCUMENT NUMBER DATE

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FPSO-COMMISSION CLERK

Accordingly, we find that the terms of the settlement agreement as summarized in this order shall be accepted and that this docket should be closed upon receipt of the \$500 contribution or cancellation of the tariff and removal from the register.

It is therefore

ORDERED that the Florida Public Service Commission accepts the \$500 contribution, as part of the aforementioned settlement offer, to be paid to the Florida Public Service Commission within 14 calendar days of the issuance of this Order. Payment should reference the docket number and the name of the company. Upon receipt, the amount paid shall be forwarded to the Florida Department of Financial Services for deposit in the General Revenue Fund. It is further

ORDERED that if company fails to timely pay the \$500 contribution, it shall be required to immediately cease and desist providing intrastate interexchange services in Florida. If the company's tariff is cancelled and its name removed from the register, and the company subsequently decides to reapply for registration as an intrastate interexchange telecommunications company, the company shall be required to first pay any outstanding RAF, including statutory late payment charges, and the contribution. It is further

ORDERED that this docket shall be closed administratively upon receipt of the payment of the settlement offer or the cancellation of the company's tariff and the removal of its name from the register administratively.

By ORDER of the Florida Public Service Commission this 24th day of March, 2004.

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

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

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 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.