

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rule 25-4.0161, F.A.C.,)	
Regulatory Assessment Fees; Rule 25-24.480,)	DOCKET NO. 910905-TP
F.A.C., Interexchange Telephone Company)	
Records and Reports; Rule 25-24.520, F.A.C.,)	ORDER NO. 25465
Pay Telephone Company Reporting Requirements)	
and 25-24.585, F.A.C., Shared Tenant)	ISSUED: 12/11/91
Services Records and Reports.)	

NOTICE OF ADOPTION OF RULE AMENDMENTS

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has adopted the amendments to Rules 25-4.0161, 25-24.480, 25-24.520, 25-24.585, F.A.C., relating to regulatory assessment fee returns and annual reports, without changes.

The rule amendments were filed with the Department of State on December 9, 1991, and will be effective on December 29, 1991. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By Direction of the Florida Public Service Commission, this
11th day of DECEMBER, 1991.


 STEVE TRIBBLE, Director
 Division of Records & Reporting

(S E A L)

CTM
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DOCUMENT NUMBER-DATE

12229 DEC 11 1991

FPSC-RECORDS/REPORTING

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CERTIFICATION OF
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES
FILED WITH THE
DEPARTMENT OF STATE

I do hereby certify:

(1) The time limitations prescribed by paragraph 120.54(11)(a), F.S., have been complied with; and

(2) There is no administrative determination under section 120.54(4), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(11)(b), F.S. They are filed not less than 28 days after the notice required by subsection 120.54(1), F.S., and;

(a) And are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed within 21 days after the adjournment of the final public hearing on the rule; or

(d) Are filed within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(e) Are filed within 21 days after the date the transcript was received by this agency.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the

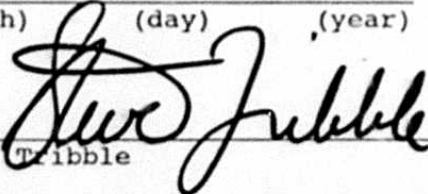
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undersigned agency by and upon their filing with the Department of State.

<u>Rule No.</u>	<u>Rulemaking Authority</u>	<u>Specific Law Being Implemented, Interpreted or Made Specific</u>
25-4.0161	350.127(2)	350.113, 364.336, 364.337(4)

Under the provision of paragraph 120.54(13)(a), F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: _____
(month) (day) (year)



Steve Tribble

Director, Division of Records & Reporting
Title

Number of Pages Certified

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CERTIFICATION OF
INCORPORATION BY REFERENCE

I do hereby certify:

(1) That paragraph (2) incorporates Form PSC/CMU 26 (Rev. 12/91) into Rule 25-4.0161, by reference.

(2) That paragraph (2) incorporates Form PSC/CMU 34 (Rev. 12/91) into Rule 25-4.0161, by reference.

(3) That paragraph (2) incorporates Form PSC/CMU 153 (Rev. 12/91) into Rule 25-4.0161, by reference.



Steve Tribble

Director, Division of Records and Reporting
Title

Number of Pages Certified

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TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE

Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

STATUS:

_____ Actual Return
_____ Estimated Return

PERIOD COVERED:

(Instructions For Filing On Back of Form)

Complete Below If Address Has Changed

FOR PSC USE ONLY

Check # _____

\$ _____ 0603002

003001

\$ _____ P

0603002

004010

\$ _____ I

Postmark Date _____

Initials of Preparer _____

UTILITY NAME

ADDRESS

CITY / STATE

ZIP CODE

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue	\$ _____
2.	Gross Intrastate Revenue	\$ _____
3.	LESS: Amounts Paid For Services to Other Telephone Companies (Attach Listing) *	\$ (_____)
4.	TOTAL REVENUES For Regulatory Assessment Fee Calculation (Line 2 less line 3)	\$ _____
5.	Regulatory Assessment Fee Due	\$ _____
6.	LESS: APPROVED Prior-Period Overpayment	\$ (_____)
7.	NET REGULATORY ASSESSMENT FEE DUE	\$ _____
8.	Penalty for Late Payment	\$ _____
9.	Interest for Late Payment	\$ _____
10.	TOTAL AMOUNT DUE - Regardless of the amount of revenues collected, the MINIMUM AMOUNT DUE Is	\$ _____
11.	Number of payphones in operation at close of period covered by this return	_____

*Each amount paid by a pay telephone company to a telecommunications company providing local service for use of the local network shall be deducted from intrastate revenue for purposes of determining the amount of the regulatory fee assessed the pay telephone company.

I, the undersigned owner or officer of the above-named utility, have read the foregoing and declare that to the best of my knowledge and belief, the above information is a true and correct statement. I am aware that pursuant to s. 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

Utility Official: _____ (Signature) _____ (Date) _____ (Title)

Telephone Number () _____

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Pay Telephone Service Provider)

- I. **WHO MUST FILE:** Each regulated company under the jurisdiction of the commission for any part of the six-month period preceding either of the due dates as reflected under Paragraph II.
- II. **WHEN TO FILE:** To avoid payment of penalties and interest, this Regulatory Assessment Fee Return must be filed:
On or before July 30 for the six-month period January 1 through June 30, *AND*
On or before January 30 for the six-month period July 1 through December 31.
When July 30 or January 30 falls on a Sunday, remittance may be made on July 31 or January 31, respectively, without penalty.
- III. **FEES:** Each commission-regulated company shall pay the percentage referenced in the parenthesis on Line 5 of its gross operating revenues derived from intrastate business. Each Pay Telephone Service Provider may deduct the amounts paid for services to other Telephone Companies. Each Pay Telephone Service Provider is to include a listing of all amounts paid for services to other Telephone Companies where a deduction is taken. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not consider any expenses, taxes, or uncollectibles, etc., in these amounts. The presently established percentage appears on Line 5 of this Regulatory Assessment Fee Return and in Rule 25-4.0161(1),F.A.C.
- IV. **FAILURE TO FILE BY DUE DATE:** Failure to file this form by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 8). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 9). A Regulatory Assessment Fee Return **must be filed regardless of whether there are no revenues to report or if the minimum is due.**
Where a company fails to file a Regulatory Assessment Fee Return, the commission may order the company to show cause why the company should not be assessed a penalty and/or why the company's certificate should not be canceled.
- V. **EXTENSION:** A company, for good cause shown in a written request, may be granted an extension for a period not to exceed thirty days. Such request should be made by filing the enclosed Form PSC/ADM-124 (Rev. 6/88) (Request for Extension to File Regulatory Assessment Fee Return) in sufficient time to allow commission action prior to the normal due date. If an extension is granted, a charge shall be added to the amount due:
0.75% of the fee to be remitted for an extension of 15 days or less, or 1.5% of the fee for an extension of 16 to 30 days.
In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company will be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space on this form.
- VI. **AUTHORITY:** The authority to collect regulatory assessment fees is granted to the commission by Sections 350.113, 364.336 and 364.337, Florida Statutes.
- VII. **REGULATORY ASSESSMENT FEE DUE:** Amounts are due and payable to the Florida Public Service Commission within 30 days of the end of the periods. If there are no revenues, *OR* if revenues are insufficient to generate a minimum annual fee on June 30, please reflect a "0" on Line 5 of your return, (return must be mailed back regardless of whether there are no revenues to report) and wait until December 31 to remit the minimum fee.
- VIII. **FEE ADJUSTMENTS:** Computation errors and/or differences in gross operating revenues reported for regulatory assessment fee purposes and those reported in the annual report may cause adjustments to amounts paid to the commission. You will be notified via form PSC/ADM-125 (Rev. 8/90) as to the amount and reason for any adjustment. Penalty and interest charges may be applicable to additional amounts owed the commission by reason of the adjustment.
- IX. **NUMBER OF INSTRUMENTS:** Report the number of pay telephones in operation at the close of the period covered by this return.
- X. **MAILING INSTRUCTIONS:** Please complete the form, retain the last copy for your records, and return the original and the remaining copy. To assure a more accurate and expeditious recording of your payment, it is important that you use the enclosed preaddressed envelope in remitting your fees. If you are unable to use the envelope, please address your remittance to the FLORIDA PUBLIC SERVICE COMMISSION, 101 EAST GAINES STREET, TALLAHASSEE, FLORIDA 32399-0876. Please type "ATTENTION: FISCAL SERVICES" on the bottom left-hand corner of the envelope for easy identification.
Please Remember: Envelopes containing fee payments must be postmarked on or before the due date in order to avoid possible penalty and interest charges. However, when July 30 or January 30 falls on a Sunday, the envelopes may be postmarked on July 31 or January 31, respectively, without penalty.
- XI. **ADDITIONAL ASSISTANCE:** If you need additional information or assistance in preparing your Regulatory Assessment Fee Return, please contact the Division of Auditing and Financial Analysis at the address in paragraph X above, or call that division at (904) 488-8147. For assistance with item 11 please contact the Division of Communications at (904) 488-1280.

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TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE:

Shared Tenant Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(Instructions For Filing On Back of Form)

STATUS:

Actual Return
 Estimated Return

PERIOD COVERED:

Complete Below If Address Has Changed

FOR PSC USE ONLY

Check # _____
\$ _____ 0603003
 003001
\$ _____ P
 0603003
 004010
\$ _____ I
Postmark Date _____
Initials of Preparer _____

UTILITY NAME ADDRESS CITY / STATE ZIP CODE

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Intrastate Operating Revenue	\$ _____
2.	Regulatory Assessment Fee Due	\$ _____
3.	LESS: APPROVED Prior-Period Overpayment	\$(_____)
4.	NET REGULATORY ASSESSMENT FEE DUE	_____
5.	Penalty For Late Payment	_____
6.	Interest For Late Payment	_____
7.	TOTAL AMOUNT DUE - Regardless of the amount of revenues collected, the MINIMUM AMOUNT DUE is	\$ _____

- 8. Certificate No: _____
- 9. Type of switch: _____
- 10. Number of trunks or lines at close of period covered by this return _____
- 11. Number of customers being served at close of period covered by this return _____
- 12. Is company currently providing shared tenant service: () YES () NO
- 13. Last date service was provided to customers, if NO was checked on #12. _____

I, the undersigned owner or officer of the above-named utility, have read the foregoing and declare that to the best of my knowledge and belief, the above information is a true and correct statement. I am aware that pursuant to s. 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

Utility Official: _____ (Signature) _____ (Date) _____ (Title)
Telephone Number () _____

F.E.I. No. _____

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FLORIDA PUBLIC SERVICE COMMISSION
 Instructions For Filing Regulatory Assessment Fee Return
 (Shared Tenant Service Provider)

- I. **WHO MUST FILE:** Each regulated company under the jurisdiction of the commission for any part of the six-month period preceding either of the due dates as reflected under Paragraph II.
- II. **WHEN TO FILE:** To avoid payment of penalties and interest, this Regulatory Assessment Fee Return must be filed:
On or before July 30 for the six-month period January 1 through June 30, AND
On or before January 30 for the six-month period July 1 through December 31.
 When July 30 or January 30 falls on a Sunday, remittance may be made on July 31 or January 31, respectively, without penalty.
- III. **FEES:** Each commission-regulated company shall pay the percentage referenced within the parenthesis on line 2 of its gross operating revenues derived from intrastate business. (Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not consider any expenses, taxes, or uncollectibles, etc., in these amounts.) The present established percentage appears on Line 2 of this Regulatory Assessment Fee Return and in Rule 25-4.0161(1), F.A.C.
- IV. **FAILURE TO FILE BY DUE DATE:** Failure to file this form by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 5). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 6). A Shared Tenant Service Provider Regulatory Assessment Fee Return must be filed regardless if there are no revenues to report or if the minimum is due.
Where a company fails to file a Regulatory Assessment Fee Return, the commission may order the company to show cause why the company should not be assessed a penalty and/or why the company's certificate should not be canceled.
- V. **EXTENSION:** A company, for good cause shown in a written request, may be granted an extension for a period not to exceed thirty days. Such request should be made by filing the attached Form PSC/ADM-124 (Rev. 6/88) (Request for Extension to File Regulatory Assessment Fee Return) in sufficient time to allow commission action prior to the normal due date. If an extension is granted, a charge shall be added to the amount due:
 0.75% of the fee to be remitted for an extension of 15 days or less, or
 1.5% of the fee for an extension of 16 to 30 days.
 In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company will be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An Automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space on this form.
- VI. **AUTHORITY:** The authority to collect regulatory assessment fees is granted to the commission by Section 350.113, and 364.336, Florida Statutes.
- VII. **REGULATORY ASSESSMENT FEE DUE:** Amounts are due and payable to the Florida Public Service Commission within 30 days of the end of the periods. If there are no revenues, OR if revenues are insufficient to generate a minimum annual fee, on June 30, please reflect a "0" on Line 2 of your return, (return must be mailed back regardless if there are no revenues to report) waiting until December 31 to remit the minimum fee.
- VIII. **FEE ADJUSTMENTS:** Computation errors and/or differences in gross operating revenues reported for regulatory assessment fee purposes and those reported in the annual report may cause adjustments to amounts paid to the commission. You will be notified via Form PSC/ADM-125 (Rev. 8/90) as to the amount and reason for any adjustment. Penalty and interest charges may be applicable to additional amounts owed the commission by reason of the adjustment.
- IX. **MAILING INSTRUCTIONS:** Please complete the forms as referenced and retain the last copy for your records along with returning the remaining forms as instructed below. To assure a more accurate and expeditious recording of your payment, it is important that you use the enclosed pre-addressed envelope in remitting your fees. If you are unable to use the envelope, please address your remittance to the FLORIDA PUBLIC SERVICE COMMISSION, 101 EAST GAINES STREET - TALLAHASSEE, FLORIDA 32399-0876. Please type "ATTENTION: FISCAL SERVICES" on the bottom left-hand corner of the envelope for easy identification.
Please Remember: Envelopes containing fee payments must be postmarked on or before the due date in order to avoid possible penalty and interest charges. However, when July 30 or January 30 falls on a Sunday, the envelopes may be postmarked on July 31 or January 31, respectively, without penalty.
- X. **ADDITIONAL ASSISTANCE:** If you need additional information or assistance in preparing your Regulatory Assessment Fee Return, please contact the Division of Auditing and Financial Analysis at the address in paragraph IX, or call that division at (904) 488-8147. For assistance with items 8-13 please contact the Division of Communications at (904) 488-1280.

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TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE

Interexchange Companies Regulatory Assessment Fee Return

Florida Public Service Commission

(Instructions For Filing On Back of Form)

STATUS:

- _____ Actual Return
- _____ Estimated Return

PERIOD COVERED:

Complete Below If Address Has Changed

FOR PSC USE ONLY

Check # _____

\$ _____ 0603001
 003001

\$ _____ P
 0603001
 004010

\$ _____ I

Postmark Date _____

Initials of Preparer _____

UTILITY NAME ADDRESS CITY / STATE ZIP CODE

LINE NO.	WIDE AREA TOLL SERVICE	GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Message Toll Services	\$ _____	\$ _____
2.	Private Line Services	_____	_____
3.	Wide Area Telephone Services	_____	_____
4.	Data Services	_____	_____
5.	Leased Facilities & Circuits	_____	_____
6.	Other Telephone Services	_____	_____
7.	TOTAL Telephone Services	\$ _____	\$ _____
8.	LESS: Amounts Paid For Services To Other Telephone Companies* (Attach Listing)	\$ (_____)	\$ (_____)
9.	TOTAL REVENUES For Regulatory Assessment Fee Calculation	_____	\$ _____
10.	Regulatory Assessment Fee Due	_____	\$ _____
11.	LESS: APPROVED Prior-Period Overpayment	_____	\$ (_____)
12.	NET REGULATORY ASSESSMENT FEE DUE	_____	\$ _____
13.	Penalty for Late Payment	_____	\$ _____
14.	Interest for Late Payment	_____	\$ _____
15.	TOTAL AMOUNT DUE -	_____	\$ _____

Regardless of the amount of revenues collected, MINIMUM AMOUNT DUE is

CURRENT COMPANY STATUS

- () Facilities Based Carrier () Alternative Access Provider () Reseller () Shared Tenant Service
- () Alternate Operator Service () Rebiller () Call Aggregator () Other: _____

BILLING INFORMATION

State the name, address, and telephone number for billing agent if other than yourself.

What is the total amount of customer deposits collected?
 Amount: _____ for 19 _____

What is the total amount of bond held (if applicable)?
 Amount: _____ Expires: _____

UTILITY INFORMATION

- 16. Do you lease telecommunications facilities? () YES () NO
- 17. Who do you lease these facilities from? NAME: _____
 ADDRESS: _____

*Each amount paid by an interexchange telecommunications company to a telecommunications company providing local service for use of the local network shall be deducted from intrastate revenue for purposes of determining the amount of the regulatory fee assessed the interexchange telecommunications company.

I, the undersigned owner or officer of the above-named utility, have read the foregoing and declare that to the best of my knowledge and belief, the above information is a true and correct statement. I am aware that pursuant to s. 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

Utility Official: _____ (Signature) _____ (Date) _____ (Title)
 Telephone Number () _____

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Interexchange Company)

- I. **WHO MUST FILE:** Each regulated company under the jurisdiction of the commission for any part of the six-month period preceding either of the due dates as reflected under Paragraph II.
- II. **WHEN TO FILE:** To avoid payment of penalties and interest, this Regulatory Assessment Fee Return must be filed:
On or before July 30 for the six-month period January 1 through June 30, AND
On or before January 30 for the six-month period July 1 through December 31.
When July 30 or January 30 falls on a Sunday, remittance may be made on July 31 or January 31, respectively, without penalty.
- III. **FEES:** Each commission-regulated company shall pay the percentage referenced in the parenthesis on Line 10 of its gross operating revenues derived from intrastate business. Each Interexchange Company may deduct the amounts paid for services to other Telephone Companies for each reporting period as referenced above, indicated on line 8. Each Interexchange Company is to include a listing of all amounts paid for services to other Telephone Companies where a deduction is taken. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not consider any expenses, taxes, or uncollectibles, etc., in these amounts. The presently established percentage appears on Line 10 of this Regulatory Assessment Fee Return and in Rule 25-4.0161(1), F.A.C.
- IV. **FAILURE TO FILE BY DUE DATE:** Failure to file this form by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 13). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 14). An Interexchange Company Regulatory Assessment Fee Return must be filed regardless of whether there are no revenues to report or if the minimum is due.
Where a company fails to file a Regulatory Assessment Fee Return, the commission may order the company to show cause why the company should not be assessed a penalty and/or why the company's certificate should not be canceled.
- V. **EXTENSION:** A company, for good cause shown in a written request, may be granted an extension for a period not to exceed thirty days. Such request should be made by filing the enclosed Form PSC/ADM-124 (Rev. 6/88) (Request for Extension to File Regulatory Assessment Fee Return) in sufficient time to allow commission action prior to the normal due date. If an extension is granted, a charge shall be added to the amount due:
0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.
In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company will be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space on this form.
- VI. **AUTHORITY:** The authority to collect regulatory assessment fees is granted to the commission by Sections 350.113, 364.336 and 364.337, Florida Statutes.
- VII. **REGULATORY ASSESSMENT FEE DUE:** Amounts are due and payable to the Florida Public Service Commission within 30 days of the end of the periods. If there are no revenues, OR if revenues are insufficient to generate a minimum annual fee on June 30, please reflect a "0" on Line 10 of your return, (return must be mailed back regardless of whether there are no revenues to report) and wait until December 31 to remit the minimum fee.
- VIII. **FEE ADJUSTMENTS:** Computation errors and/or differences in gross operating revenues reported for regulatory assessment fee purposes and those reported in the annual report may cause adjustments to amounts paid to the commission. You will be notified via form PSC/ADM-125 (Rev. 8/90) as to the amount and reason for any adjustment. Penalty and interest charges may be applicable to additional amounts owed the commission by reason of the adjustment.
- IX. **MAILING INSTRUCTIONS:** Please complete the form, retain the last copy for your records, and return the original and the remaining copy. To assure a more accurate and expeditious recording of your payment, it is important that you use the enclosed preaddressed envelope in remitting your fees. If you are unable to use the envelope, please address your remittance to the FLORIDA PUBLIC SERVICE COMMISSION, 101 EAST GAINES STREET, TALLAHASSEE, FLORIDA 32399-0876. Please type "ATTENTION: FISCAL SERVICES" on the bottom left-hand corner of the envelope for easy identification.
Please Remember: Envelopes containing fee payments must be postmarked on or before the due date in order to avoid possible penalty and interest charges. However, when July 30 or January 30 falls on a Sunday, the envelopes may be postmarked on July 31 or January 31, respectively, without penalty.
- X. **ADDITIONAL ASSISTANCE:** If you need additional information or assistance in preparing your Regulatory Assessment Fee Return, please contact the Division of Auditing and Financial Analysis at the address in paragraph IX above, or call that division at (904) 488-8147. For assistance on items 16-17 please contact the Division of Communications at (904) 488-1280.

SUMMARY OF RULE

Rule 25-4.0161, F.A.C., is amended to adopt new telecommunications company regulatory assessment fee returns that include annual report information.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Rule 25-4.0161 requires telecommunications companies to file a regulatory assessment fee return each January 30 and July 30 for the preceding six month period. In addition, interexchange companies, pay telephone companies and shared tenant service providers are required by Rules 25-24.480, 25-24.520 and 25-24.585 to file annual reports on January 31 of each year. By combining the two forms, it is anticipated that confusion about the due dates and reporting requirements will be reduced, and compliance increased. It is also anticipated that there will be an overall reduction in time spent by the companies completing the forms, and time spent by staff reviewing and monitoring compliance.

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1 25-4.0161 Regulatory Assessment Fees; Telecommunications
2 Companies.

3 (1) As applicable and as provided in s. 350.113, F.S. s.
4 364.336, F.S., and s. 364.337(4), F.S., each company shall remit a
5 fee based upon its gross operating revenue as provided below. This
6 fee shall be referred to as a regulatory assessment fee, and each
7 company shall pay a regulatory assessment fee in the amount of .15
8 of one percent of its gross operating revenues derived from
9 intrastate business. For the purpose of determining this fee, each
10 interexchange telecommunications company and each pay telephone
11 company shall deduct from gross operating revenues amounts paid for
12 use of the local network to a telecommunications company providing
13 local service. Regardless of the gross operating revenue of a
14 company, a minimum annual regulatory assessment fee of \$50 shall be
15 imposed.

16 (2) Regulatory assessment fees and the applicable regulatory
17 assessment fee return form are due each January 30 for the
18 preceding period or any part of the period from July 1 until
19 December 31, and on July 30 for the preceding period or any part of
20 the period from January 1 until June 30. Commission Form PSC/CMU
21 25 (1/91), entitled "Communication Company Regulatory Assessment
22 Fee Return," applicable to local exchange telecommunications
23 companies; Form PSC/CMU 26 (____ 1/91), entitled "Pay Telephone
24 Service Provider Regulatory Assessment Fee Return;" Form PSC/CMU 34
25 (____ 1/91), entitled "Shared Tenant Service Provider Regulatory

CODING: Words underlined are additions; words in
~~struck-through~~ type are deletions from existing law.

1 Assessment Fee Return;" and Form PSC/CMU 153 (_____ 1/91),
2 entitled "Interexchange Company Regulatory Assessment Fee Return,"
3 are incorporated into this rule by reference and may be obtained
4 from the Commission's Division of Administration. Each company
5 shall have up to and including the due date in which to submit the
6 applicable form and:

- 7 (a) Remit the total amount of its fee, or
8 (b) Remit an amount which the company estimates is its full
9 fee, or
10 (c) Seek and receive from the Commission a 30-day extension
11 of its due date.

12 (3) Where the company remits less than its full fee pursuant
13 to subsection (2)(b) of this rule, the remainder of the full fee
14 shall be due on or before the 30th day from the due date and shall,
15 where the amount remitted was less than 90 percent of the total
16 regulatory assessment fee, include interest as provided by
17 subsection (5)(b) of this rule.

18 (4) Where a company receives a 30-day extension of its due
19 date pursuant to subsection (2)(c) of this rule, then the company
20 shall remit a charge in addition to the regulatory assessment fees,
21 as set out in s. 350.113(5), F.S.

22 (5) The delinquency of any amount due to the Commission from
23 the company pursuant to the provisions of s. 350.113, F.S., and
24 this rule, begins with the first day after any date established as
25 the due date either by operation of this rule or by an extension

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1 pursuant to this rule.

2 (a) A penalty, as set out in s. 350.113, F.S., shall apply to
3 any such delinquent amounts.

4 (b) Interest at the rate of 12 percent per annum shall apply
5 to any such delinquent amounts.

6 Specific Authority: 350.127(2), F.S.

7 Law Implemented: 350.113, 364.336, 364.337(4), F.S.

8 History: New 5/18/83, formerly 25-4.161, Amended 10/16/86, 1/1/91.

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CERTIFICATION OF
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES
FILED WITH THE
DEPARTMENT OF STATE

I do hereby certify:

(1) The time limitations prescribed by paragraph 120.54(11)(a), F.S., have been complied with; and

(2) There is no administrative determination under section 120.54(4), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(11)(b), F.S. They are filed not less than 28 days after the notice required by subsection 120.54(1), F.S., and;

(a) And are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed within 21 days after the adjournment of the final public hearing on the rule; or

(d) Are filed within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(e) Are filed within 21 days after the date the transcript was received by this agency.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the

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undersigned agency by and upon their filing with the Department of State.

<u>Rule No.</u>	<u>Rulemaking Authority</u>	<u>Specific Law Being Implemented, Interpreted or Made Specific</u>
25-24.480	350.127(2)	350.113, 350.115, 350.117, 364.17, 364.18, 364.185, 364.337
25-24.520	350.127(2)	350.115, 350.117, 364.17, 364.18, 364.185, 364.3375
25-24.585	350.127(2)	350.113, 364.18, 364.185, 364.339

Under the provision of paragraph 120.54(13)(a), F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: _____
 (month) (day) (year)

Steve Tribble

Steve Tribble

Director, Division of Records & Reporting
 Title

 Number of Pages Certified

(S E A L)

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Rules 25-24.480, 25-24.520
and 25-24.585
Docket No. 910905-TP

SUMMARY OF RULES

Rules 25-24.480, 25-24.520, and 25-24.585, F.A.C., are amended to delete the requirement that interexchange companies, pay telephone companies, and shared tenant service companies file a separate annual report form.

SUMMARY OF HEARINGS ON THE RULES

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULES

Interexchange companies, pay telephone companies and shared tenant service providers are required by Rules 25-24.480, 25-24.520 and 25-24.585 to file annual reports on January 31 of each year. In addition, these companies are required by Rule 25-4.0161, F.A.C., to file a regulatory assessment fee return twice a year. By eliminating the separate annual report requirement, it is anticipated that confusion about the due dates and reporting requirements will be reduced, and compliance increased. It is also anticipated that there will be a reduction in time spent by the companies completing the forms, and time spent by staff reviewing and monitoring compliance.

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1 25-24.480 Records & Reports; Rules Incorporated.

2 (1) The following rules are incorporated herein by reference
 3 and apply to interexchange companies. In these rules, the word
 4 'local' should be omitted or interpreted as 'toll', as they shall
 5 apply only to interexchange and not local service.

6 (a) The following rules apply to all companies:

<u>Section</u>	<u>Title</u>	<u>Portions not Applicable</u>
9 25-4.019	Records and Reports in General	None
10 25-4.020	Location and Preservation of Records	None
11 25-4.043	Inquiries	None
12 25-4.0161	Regulatory Assessment Fees	None
13 25-4.079	Hearing/Speech Impaired Persons	Subsections (1), (2), (3), and (5)
14 25-4.115	Directory Assistance	Subsections (1) and (2)

18 (b) The following rules apply to major interexchange companies
 19 only:

<u>Section</u>	<u>Title</u>	<u>Portions not Applicable</u>
22 25-4.0166	Implementation of Uniform System and Classification of Accounts	None
24 25-4.017	Uniform System and	Subsections (2),

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1		Classification of Accounts	(3), (4), (5),
2			(6), (7)
3	25-4.0174	Uniform System and Classification	None
4		of Accounts - Depreciation	
5	25-4.0175	Depreciation	None
6	25-4.0176	Recovery Schedules to Promote	None
7		an Economical and Efficient	
8		Telecommunications Network	
9	25-4.018	Annual Reports	Subsection (2)
10	25-4.245	Rate of Return Report	None

11 (2) Each minor interexchange company shall file, with the
12 Commission's Division of Communications, an updated list of
13 exchanges where originating service is offered. This exchange list
14 shall be filed within 10 days of service being offered or
15 discontinued in an exchange area, on Appendix A of Form PSC/CMU 31
16 (2/87).

17 (3) For long distance traffic within toll monopoly areas, each
18 interexchange company shall file with each applicable local
19 exchange company quarterly reports showing monthly data, stating
20 the units carried over the interexchange company's facilities for
21 which the interexchange company will pay the existing Message Toll
22 Service (MTS) rates to the local exchange company.

23 (4) Each company shall file updated information for the
24 following items with the Division of Communications and the
25 Division of Records and Reporting within 10 days after such changes

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1 occur.

2 (a) The address of the certificate holder's main corporate and
3 Florida offices (if any), including street name and address and
4 post office box, city, state and zip code.

5 (b) Telephone number, name, and address of the individual who is
6 to serve as primary liaison with the Commission in regards to the
7 ongoing Florida operations of the certificated company.

8 ~~(5) Each company shall file Form PSC/CMU 38 (10/90) with the~~
9 ~~Division of Communications by January 31 of each year. Form~~
10 ~~PSC/CMU 38 (10/90), entitled IXE Annual Report Form, is~~
11 ~~incorporated by reference into this rule and may be obtained from~~
12 ~~the Division of Communications.~~

13 Specific Authority: 350.127(2), F. S.

14 Law Implemented: 350.113, 350.115, 350.117, 364.17, 364.18,
15 364.185, 364.337, F.S.

16 History: New 2/23/87, Amended 4/5/88, 7/11/88, 6/30/90, 10/25/90.

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1 25-24.520 Reporting Requirements.

2 (1) Each pay telephone service company shall file with the
3 Commission's Division of Communications updated information for the
4 following items within 10 days after a change occurs:

5 (a) The street address of the certificate holder including
6 number, street name, city, state and zip code, and the mailing
7 address if it differs from the street address also.

8 (b) Name, title, and phone number of the individual
9 responsible for contact with the Commission.

10 ~~(2) Each pay telephone service company shall file Commission~~
11 ~~Form PSC/CMU 39 (1/91) with the Division of Communications by~~
12 ~~January 31 of each year. Form PSC/CMU 39, entitled "Annual Pay~~
13 ~~Telephone Service Report," is incorporated by reference into this~~
14 ~~rule and may be obtained from the Commission's Division of~~
15 ~~Communications.~~

16 (2) ~~(3)~~ Each pay telephone service company shall by January
17 31 of each year provide a report to the local exchange companies
18 listing the station number and location of all of its pay
19 telephones.

20 Specific Authority: 350.127(2), F. S.

21 Law Implemented: 350.115, 350.117, 364.17, 364.18, 364.185,
22 364.3375, F.S.

23 History: New 1/5/87, Amended 1/1/91.

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1 25-24.585 Records and Reports; Rules Incorporated.

2 (1) The following rules are incorporated herein by reference
 3 and apply to shared tenant service companies:

4	<u>PORTIONS</u>		
5	<u>SECTION</u>	<u>TITLE</u>	<u>NOT APPLICABLE</u>
6	25-4.019	Records & Reports in General	NONE
7	25-4.020	Location & Preservation of Records	NONE
8	25-4.043	Inquiries	NONE
9	25-4.0161	Regulatory Assessment Fees	NONE

10 (2) Each shared tenant service company shall file with the
 11 Commission's Division of Communications updated information for the
 12 following items within ten (10) days after either such change
 13 occurs.

14 (a) The mailing address of the certificate holder.

15 (b) Name, title and phone number of individual responsible for
 16 Commission contacts.

17 ~~(3) Each shared tenant service company shall file with the~~
 18 ~~Division of Communications by January 31 each year a report showing~~
 19 ~~the following:~~

20 ~~(a) Certificate number;~~

21 ~~(b) Name of certificate holder;~~

22 ~~(c) Certificated or building address;~~

23 ~~(d) Mailing address;~~

24 ~~(e) Type of switch;~~

25 ~~(f) Number of trunks or lines;~~

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1 ~~(g) Statement of whether the company is currently providing~~
2 ~~shared tenant service;~~

3 ~~(h) Number of customers being served;~~

4 ~~(i) Last date service was provided to customers, if no longer~~
5 ~~providing service; and~~

6 ~~(j) Plans for providing service in the future if not presently~~
7 ~~providing service.~~

8 Specific Authority: 350.127(2), F.S.

9 Law Implemented: 350.113, 364.18, 364.185, 364.339, F.S.

10 History: New 1/28/91.

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