

September 10, 1996

Ms Blanca Baio
Public Service Commission
Director of Records and Reporting
State of Florida
Capital Circle Office Center
2450 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

961143-TI

Re Excel Telecommunications, Inc
Regulatory Assessment Fee

Dear Ms Baio

The above named taxpayer respectfully requests that the penalty related to late payment of the Public Service Commission's Regulatory Assessment Fee be waived (See the attached copy of the notice dated August 7, 1996)

The Regulatory Assessment Fee was due on July 30, 1996, but it was paid (postmarked) on July 31, 1996. Each month Excel's Tax Department processes and files approximately 800 returns in various jurisdictions, including 324 due on July 30, 1996 and 86 due on July 31, 1996. On July 30, 1996 the Regulatory Assessment Fee return and check was inadvertently placed in the stack of returns to be mailed July 31, 1996 rather than in the stack to be mailed on July 30, 1996. At that time, the return had been signed and the check was printed and ready for mailing (See the attached copies of the check and tax return). As a result, the return was processed and promptly filed on July 31, 1996. We believe the late payment was not due to willful neglect, but reasonable cause.

It is Excel Telecommunication's intent to fully meet its obligations on a timely basis. We have made every effort to prepare and process our returns timely and accurately and our timely payment history with the Public Service Commission is reflective of this effort. Unfortunately, in manual processing, honest human errors sometimes occur, despite our control efforts. We are constantly searching for ways to reduce errors in this process and since discovery of this error, additional steps have been taken to insure such errors are not repeated in the future.

We believe the only reason to have penalties is to improve compliance, not to raise revenue or punish. We respectfully submit the above facts reflect an already compliant taxpayer acting in good faith. Therefore, we request that the penalty be abated in accordance with the regulations of the state of Florida.

Under penalties of perjury, I declare the information provided herein is true, correct and complete to the best of my knowledge and belief. If you have any questions or require further information, please contact me at (214) 863-8134. Thank you for your assistance in this matter.

Sincerely yours,


Brenda J. Owens
Tax Director

DOCUMENT NUMBER DATE

09978 SEP 18 88

FPSC-RECORDS/REPORTING