

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 971490-T1 Date Docketed: 11/13/1997 Title: Initiation of show cause proceedings against Excel Telecommunications, Inc. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.
 Company: Excel Telecommunications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: ADM AFA APP CAF CHU EAG GCL (LEG) RAR RRR WAW
 ("(") indicates OPR) _____ X X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B8(b)

Staff Assignments

OPR Staff C Bedell

Staff Counsel C Bedell

OCRs (CHU) K Biegalski

(CAF) K Smith

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Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
 Hearing Examiner X Staff _____

Date filed with RAR: 01/07/1999

Initials: OPR _____
 Staff Counsel _____

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level

5

Due Dates

Previous Current

1. Staff Recommendation	01/07/1999	01/21/1999
2. Agenda - Regula	01/19/1999	02/02/1999
3. Standard Order	02/15/1999	02/22/1999
4. Close Docket or Revise CASR	03/31/1999	03/22/1999
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	GR	DS	CL	JW	JC		
						X	

- Prehearing Officer

Commissioners					ADM
GR	DS	CL	JW	JC	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature]
 Date: Pending 2/9/99

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 971490-T1 Date Docketed: 11/13/1997 Title: Initiation of show cause proceedings against Excel Telecommunications, Inc. for violation of Rule 25-4.11B, F.A.C., Interexchange Carrier Selection.
 Company: Excel Telecommunications, Inc.

Official Filing Date: _____ Expiration: _____
 Last Day to Suspend: _____

Referred to: _____ ADH _____ AFA _____ APP _____ CAF X CRJ X EAG _____ GCL _____ (LEG) X RAR _____ RRR _____ WAW _____
 ("(") indicates OPR)

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module BS(b)

Staff Assignments

OPR Staff C Bedell

Staff Counsel C Bedell
OCRs (CMU) K Biegelaki

(CAF) K Smith

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WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level

4

1. Recommend Referral to DOAH
2. Revis: ASR if Back from DOAH
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Due Dates

Previous Current

	Previous	Current
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Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
 Hearing Examiner X Staff _____

Date filed with RAR: 08/27/1998

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
						X	

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	
X					

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: 08/27/1998

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Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 971490-T1 Date Docketed: 11/13/1997 Title: Initiation of show cause proceedings against Excel Telecommunications, Inc. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.
 Company: Excel Telecommunications, Inc.

Official Filing Date: _____ Expiration: _____
 Last Day to Suspend: _____

Referred to: ADM AFA APP CAF CMU EAG GCL (LEG) RAR RRR WAW
 ("(") indicates OPR) _____ X X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module BS(b)

Staff Assignments

OPR Staff C Bedell

Staff Counsel C Bedell
OCRs (CMU) K Bieganski

(CAF) K Smith

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WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level

3

1. Staff Recommendation
2. Agenda - Deferred from 5/19/98
3. PA Order
4. Clerk Docket or Revise CASR
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Due Dates

Previous Current

	NONE	06/18/1998
1. Staff Recommendation	NONE	06/30/1998
2. Agenda - Deferred from 5/19/98	06/08/1998	07/20/1998
3. PA Order	07/10/1998	08/20/1998
4. Clerk Docket or Revise CASR		
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 06/04/1998

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
X							

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature]

Date: 06/04/1998

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Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 971490-T1 Date Docketed: 11/13/1997 Title: Initiation of show cause proceeding against Excel Telecommunications, Inc. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.
 Company: Excel Telecommunications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: ADM AFA APP CAF CMU EAG GCL (LEG) RAR RRR WAW
 ("(") indicates OPR) _____ X _____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module BS(b)

Staff Assignments

OPR Staff W Cox, K Pena

Staff Counsel M Barone, K Pena
OCRs (CMU) K Bieganski

(CAF) K Smith

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WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT, IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level

2

Due Dates

Previous Current

1. Staff Recommendation	03/26/1998	04/16/1998
2. Agenda - Regular	04/07/1998	04/28/1998
3. P/ Order	04/27/1998	05/18/1998
4. Close Docket or Revise CASR	05/27/1998	06/18/1998
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 03/23/1998

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
X							

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature]
 Date: 4/10/98

2

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 971490-TJ Date Docketed: 11/13/1997 Title: Initiation of show cause proceedings against Excel Telecommunications, Inc. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.
 Company: Excel Telecommunications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: _____
 ("(") indicates OPR)

ADH	AFA	APP	CAF	CMU	EAG	GCL	(LEG)	RAR	RRR	MAW
_____	_____	_____	<u>X</u>	<u>X</u>	_____	_____	<u>X</u>	_____	_____	_____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B8(b)

Staff Assignments

OPR Staff W Cox, K Pena

Staff Counsel M Barone, K Pena

OCRs (CMU) K Bieganski

(CAF) K Smith

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 02/05/1998

Initials: OPR _____
 Staff Counsel _____

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level

1

	Due Dates	
	Previous	Current
1. Staff Recommendation	02/05/1998	03/26/1998
2. Agenda - Regular	02/17/1998	04/07/1998
3. PA Order	03/09/1998	04/27/1998
4. Close Docket or Revise CASR	04/09/1998	05/27/1998
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
<u>X</u>							

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	
					<u>X</u>

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JLJ/wj
 Date: 02/18/1998 3/6/98

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 971490-T1 Date Docketed: 11/13/1997 Title: Initiation of show cause proceedings against Excel Telecommunications, Inc. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.
 Company: Excel Telecommunications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: _____
 ("(") indicates OPR) _____

ADH AFA APP CAF CHU EAG GCL (LEG) RAR RRR WAW
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Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module BS(b)

Staff Assignments

OPR Staff W Cox, K Pena

Staff Counsel M Barone, K Pena

OCRs (CHU) K Biegalski

(CAF) K Smith

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WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level

1

Due Dates

Previous Current

1. Staff Recommendation	02/05/1998	03/26/1998
2. Agenda - Regular	02/17/1998	04/07/1998
3. AA Order	03/09/1998	04/27/1998
4. Close Docket or Revise CASR	04/09/1998	05/27/1998
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: 02/05/1998

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
X							

- Prehearing Officer

Commissioners					ADM
JN	DS	CL	GR	JC	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JLJ/wj
 Date: 02/05/1998 2/18/98

Docket Index Listing for Closed Dockets
971490

971490-TI

Docketed: November 13, 1997
 Closed: March 17, 1999
 Company: Excel Telecommunications, Inc. (TI922)
 Title: Initiation of show cause proceedings against Excel Telecommunications, Inc. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.
 OPRs: LEG - Bedell
 OCRs: CMU - Biegalski
 CAF - Smith
 Staff Counsel: LEG - Bedell
 Commissioners: Prehearing Officer - Johnson
 Hearing Officers - Hearing Examiner

<u>DOCUMENT NO.</u>	<u>DATE</u>	<u>DOCKET NO.</u>	<u>DESCRIPTION</u>
11622-97	11/13/1997	971490-TI	CMU/Biegalski req to est dkt: Initiation of show cause proceedings against Excel Telecommunications, Inc. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.
04353-98	04/16/1998	971490-TI	RECOMM fr LEG/Bedell/Bowman; CMU/Biegalski; CAF/Smith to 4/28/98 ag - order Excel to show cause in writing within 20 days of effective date of order why cert 2440 should not be canceled or fined \$30,000 per apparent violation for total of \$1,140,000; not accept settlement offer; if Issue 1 approved, Excel will have 20 days from issuance of order to show cause to respond in writing; if Excel timely responds, docket should remain open pending resolution; if Excel fails to respond and fines are not received within 5 business days, cert should be canceled and docket closed administratively; if staff's recommendation is not approved and settlement offer is accepted; docket should be closed.
04749-98	04/29/1998	971490-TI	VOTE SHEET fr 4/28/98 ag - deferred to 5/19/98 ag.
05158-98	05/07/1998	971490-TI	RECOMM fr LEG/Bedell; CMU/Biegalski; CAF/Smith to 5/19/98 ag - order Excel to show cause why Cert No. 2440 should not be canceled or be fined for apparent violation of Rule 25-4.118; if Issue 1 approved, Excel will have 20 days from issuance of show cause order to respond in writing; if Excel does not respond timely, penalties should be deemed assessed; if Excel fails to respond and fines are not received within 5 business days after expiration of show cause response period, Excel's cert should be canceled and this docket closed administratively.
05571-98	05/19/1998	971490-TI	Copy of Commissioner Garcia 5/18/98 memo to Chairman Johnson requesting deferral of item from 5/19/98 agenda for 30 days.

Docket Index Listing for Closed Dockets
971490 (continued)

<u>DOCUMENT NO.</u>	<u>DATE</u>	<u>DOCKET NO.</u>	<u>DESCRIPTION</u>
05641-98	05/20/1998	971490-TI	VOTE SHEET fr 5/19/98 ag - deferred to 6/16/98 ag. Excel (Wiggins) - Letter dated 4/23/98 to DED/Bane requesting deferral until 5/19/98 agenda.
05670-98	05/21/1998	971490-TI	
05671-98	05/21/1998	971490-TI	LEG/Bedell; CMU/Biegalski 4/24/98 memo to EXD/Talbott supporting request for deferral to 5/19/98 ag; noted recommended approval by DED/Bane.
06968-98	07/02/1998	971490-TI	VOTE SHEET fr 6/30/98 ag - JN, DS, CL, GR, JC, staff recomb approved.
07706-98	07/22/1998	971490-TI	Order PSC-98-1000-SC-TI to Excel to show cause in writing by 8/11/98 why its Cert 2440 should not be canceled or why it should not be fined \$30,000 or a total of \$1,110,000 for 37 apparent violations: if Excel does not respond and pay fines within 5 business days after expiration of show cause period, cert will be canceled and docket closed administratively. [Attachment pages not on-line.] (JDCGJ)
07873-98	07/27/1998	971490-TI	Excel - Return receipt card showing delivery of show cause order made by US Post Office on 7/24/98.
08526-98	08/11/1998	971490-TI	Excel (Wiggins) - Motion for more definite statement of allegations of Order PSC-98-1000-SC-TI.
08527-98	08/11/1998	971490-TI	Excel (Wiggins) - Answer to Show Cause Order PSC-98-1000-SC-TI.
00410-99	01/11/1999	971490-TI	Copy of Excel/Wiggins 12/17/98 letter to LEG/Bedell with attached settlement proposals.
00753-99	01/21/1999	971490-TI	RECOM for 2/2/99 ag fr LEG/Bedell; CAF/McHargue; CMU/Biegalski - if Commission approves Excel's settlement offer, motion for more definite statement will become moot; accept settlement offer; with approval of Issue 2, docket should remain open pending remittance of \$68,000 voluntary contribution within 5 business days after approval of settlement offer becomes final; close docket upon remittance of settlement; forward settlement to Comptroller for deposit in State General Revenue Fund.
01486-99	02/05/1999	971490-TI	VOTE SHEET fr 2/2/99 ag - GR, DS, CL, JN, JC, staff recomb approved.
02287-99	02/22/1999	971490-TI	Order PSC-99-0368-AS-TI approving settlement offer by Excel; docket shall remain open pending remittance of \$68,000 voluntary contribution; upon remittance, contribution shall be forwarded to Comptroller for deposit in State General Revenue Fund, and docket closed administratively. (GDCJJ) [ATTACHMENT NOT ON-LINE]

Docket Index Listing for Closed Dockets
971490 (continued)

<u>DOCUMENT NO.</u>	<u>DATE</u>	<u>DOCKET NO.</u>	<u>DESCRIPTION</u>
03167-99	03/11/1999	971490-TI	Excel (Wiggins) - Letter enclosing \$68,000 settlement payment for voluntary contribution in response to Show Cause Order PSC-99-0638-AS-TI. Deposit D102 dated 3/12/99.
03467-99	03/17/1999	971490-TI	LEG/Davis; CMU/D'Haeseleer 3/15/99 memo to RAR/Bayo advising \$68,000 settlement was forwarded to Comptroller's office on 3/12/99. no further action required and docket may be closed; closed by XCM.

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Number of Originals 12 Date 2/23/99
 Requested By V. H. Hart Copies Per Original 15

Item Presented _____
 Agenda For (Date) _____ Order No. 991-031-8 In Docket No. 77490
 Notice of _____ For (Date) _____ In Docket No. _____
 Other _____

Special Handling Instructions

Distribution/Mailing		Distribution/Mailing	
Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>14</u>	<u>Commission Offices</u>	---	_____
<u>1</u>	<u>Docket Mailing List - Mailed</u>	_____	_____
_____	<u>Docket Mailing List - Faxed</u>	_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification
 Job Number 296 Verified By W.S.
 Date and Time Completed 2-24 Job Checked For Correctness and Quality (Initial) _____

Mail Room Verification
 Date Mailed 2/24 Verified By [Signature]

MEMORANDUM

February 22, 1999

RECEIVED - FCC

FEB 22 AM 10:57

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (BEDELL) *CB P/LC
m/els*

RE: DOCKET NO. 971490-TI - In re: Initiation of show cause proceedings against Excel Telecommunications, Inc. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.

99-0368-AS

Attached is an **Order Approving Settlement**, with attachment, to be issued in the above-referenced docket. (Number of pages in order - 12)

CB/slh
Attachment
cc: Division of Communications
I 971490or.cb

See 2.3

ATTACHMENT(S) NOT ON-LINE

to be sent to M.R.

2/23/99

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Date 7, 22, 98
 Number of Originals 26 Copies Per Original 17
 Requested By Debra Smith

Item Presented _____
 Agenda For (Date) _____ Order No. 98-01000 In Docket No. 971490
 Notice of _____ For (Date) _____ In Docket No. _____
 Other _____

Special Handling Instructions

Distribution/Mailing		Distribution/Mailing	
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<u>17</u>	<u>Commission Offices</u>	_____	_____
<u>(1)</u>	<u>Docket Mailing List - Mailed</u>	_____	_____
_____	<u>Docket Mailing List - Faxed</u>	_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification
 Job Number 198 Verified By H.L.P.
 Date and Time Completed 7/23 Job Checked For Correctness and Quality (Initial) _____

Mail Room Verification
 Date Mailed / Verified By /

MEMORANDUM

July 22, 1998

RECEIVED-PPSC

98 JUL 22 PH 1:58

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (BEDELL) *CBmcs*

RE: DOCKET NO. 971490-TI - Initiation of show cause proceedings against Excel Telecommunications, Inc. For violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.

98-1600-5C

2/11

Attached is an Order to Show Cause to be issued in the above-referenced docket. (Number of pages in order -26)

CB/slh
Attachment
cc: Division of Communications (Biegalski)
I:971490or.cb

*1 certified
7/22/98*