

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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59 JAN -5 AM 10:02
RECORDS AND REPORTING

DATE: JANUARY 7, 1999

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (ISLER) *Aij*
DIVISION OF LEGAL SERVICES (MILLER) *Jan MVB*

RE: DOCKET NO. 981759-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 4441 ISSUED TO CORPORATE SERVICES TELCOM, INC., FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

AGENDA: 01/19/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\981759.RCM

CASE BACKGROUND

Corporate Services Telcom, Inc. obtained Florida Public Service Commission Interexchange Telecommunications Certificate Number 4441 on June 1, 1996.

On December 11, 1997, the Division of Administration mailed the regulatory assessment fee (RAF) notice by certified mail. Staff received the return receipt from the United States Postal Service (USPS) which showed that the RAF notice was signed for and delivered.

The Division of Administration advised staff by memorandum that this company had not paid its 1997 RAF, plus statutory penalties and interest for the year 1997.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

After the docket was opened, Mr. C. Everett Boyd, Jr., attorney for the company, called staff and stated that his client wanted to keep the certificate, would pay all past due charges, and make a settlement offer. The company has since paid the 1997 RAFs plus statutory penalties and interest charges and made a settlement offer to pay a \$100 contribution and pay future regulatory assessment fees by January 30 of each year. (ATTACHMENT A) Therefore, staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission accept the settlement offer proposed by Corporate Services Telcom, Inc. to resolve the apparent violations of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should accept the company's settlement offer. Any contribution should be paid by the company within five business days from the effective date of the Commission Order. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. (Isler)

STAFF ANALYSIS: Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

The Division of Administration notified staff by memorandum that Corporate Services Telcom, Inc. had not submitted the regulatory assessment fees for 1997, along with statutory penalties and interest charges for the year 1997.

After staff opened this docket but prior to filing the recommendation, the company paid the regulatory assessment fees for 1997, plus the statutory penalties and interest charges. The company's attorney contacted staff and advised that its client wanted to keep its certificate and would make a settlement offer. The correspondence was received December 4, 1998, and proposed to pay all future regulatory assessment fees by January 30 of every

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year and offered to make a \$100 contribution to the State General Revenue Fund. (ATTACHMENT A)

Accordingly, staff believes the terms of the settlement agreement as summarized in this recommendation should be accepted. Any contribution should be paid by the company within five business days from the effective date of the Commission Order. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1 and upon remittance of the \$100 contribution, this docket should be closed. (Miller)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, and upon remittance of the \$100 contribution, this docket should be closed. The contribution should be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Chapter 364.285(1), Florida Statutes.