



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SUMNER OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-8850

-M-E-M-O-R-A-N-D-U-M-

DATE: JANUARY 21, 1999

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

FROM: DIVISION OF COMMUNICATIONS (ISLER) *Pig*
DIVISION OF LEGAL SERVICES (MILLER) *Jan MB*

RE: CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES

DOCKET NO. 981884-TI - STRATEGIC TELECOM SYSTEMS, INC.
DOCKET NO. ~~981885-TI~~ - GROUP ADVANTAGE PROVIDERS, LLC
DOCKET NO. 981886-TI - MATDIL ENTERPRISES, INC. D/B/A OCEAN COMMUNICATIONS
DOCKET NO. 981887-TI - CONNECTONE COMMUNICATIONS CORPORATION

AGENDA: 02/02/99 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\981884.RCM

CASE BACKGROUND

1.) Docket #981884-TI - Strategic Telecom Systems, Inc. - This company obtained Certificate Number 4825 on 05/16/97. The Division of Administration sent the 1997 regulatory assessment fee (RAF) notice by certified mail. The United States Postal Service (USPS) returned the receipt which showed the RAF notice was signed for and delivered on December 15, 1997. The Division of Administration notified staff by memorandum that this company did not pay its 1997 RAFs, plus statutory penalties and interest for

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the year 1997. As of January 13, 1999, the company has not paid the past due amount.

2.) Docket #981885-TI - Group Advantage Providers, LLC - This company obtained Certificate Number 4837 on 04/02/97. The Division of Administration sent the 1997 RAF notice by certified mail. The USPS returned the receipt which showed the RAF notice was signed for and delivered on December 15, 1997. The Division of Administration notified staff by memorandum that this company did not pay its 1997 RAFs, plus statutory penalties and interest for the year 1997. As of January 13, 1999, the company has not paid the past due amount.

3.) Docket #981886-TI - Matdil Enterprises, Inc. d/b/a Ocean Communications - This company obtained Certificate Number 4808 on 03/18/97. The Division of Administration sent the 1997 RAF notice by certified mail. The USPS returned the receipt which showed the RAF notice was signed for and delivered on December 15, 1997. The Division of Administration notified staff by memorandum that this company did not pay its 1997 RAFs, plus statutory penalties and interest for the year 1997. As of January 13, 1999, the company has not paid the past due amount.

4.) Docket #981887-TI - ConnectOne Communications Corporation - This company obtained Certificate Number 4846 on 04/02/97. The Division of Administration sent the 1997 RAF notice by certified mail. The USPS returned the receipt which showed the RAF notice was signed for and delivered on December 18, 1997. The Division of Administration notified staff by memorandum that this company did not pay its 1997 RAFs, plus statutory penalties and interest for the year 1997. As of January 13, 1999, the company has not paid the past due amount.

Staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission impose a \$500 fine or cancel the interexchange telecommunications certificates issued to each company listed on page 6 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees: Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should impose a \$500 fine or cancel each company's certificate as listed on page 6 if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within five business days after the conclusion of the 21 day protest period. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalties and interest, are not received, the interexchange telecommunications certificate numbers listed on page 6 should be canceled with an effective date of December 31, 1998. (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.

Staff was notified by the Division of Administration that each of the interexchange telecommunications providers listed on page 6 had not paid their 1997 regulatory assessment fees, plus statutory penalties and interest. Therefore, the companies have failed to comply with Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies.

Accordingly, staff recommends that the Commission assess a \$500 fine for failure to comply with the Commission rules or cancel the companies respective certificate numbers if the fine and the regulatory assessment fees, along with statutory penalties and interest, are not paid within five business days after the conclusion of the 21 day protest period. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalties and interest, are

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not received, the certificate numbers listed on page 6 should be canceled with an effective date of December 31, 1998.

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<u>DOCKET NO.</u>	<u>PROVIDER</u>	<u>CERTIFICATE NO.</u>	<u>RAFs</u>	<u>P and I</u>
981884-TI	Strategic Telecom Systems, Inc.	4825	1997	1997
981885-TI	Group Advantage Providers, LLC	4837	1997	1997
981886-TI	Matdil Enterprises, Inc. d/b/a Ocean Communications	4808	1997	1997
981887-TI	ConnectOne Communications Corporation	4846	1997	1997