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Public Service Commission

RECORDS AND REPORTING

DATE: March 24, 1999

TO: Division of Records and Reporting (Bayo)

FROM: Division of Telecommunications (Isler) *PN*

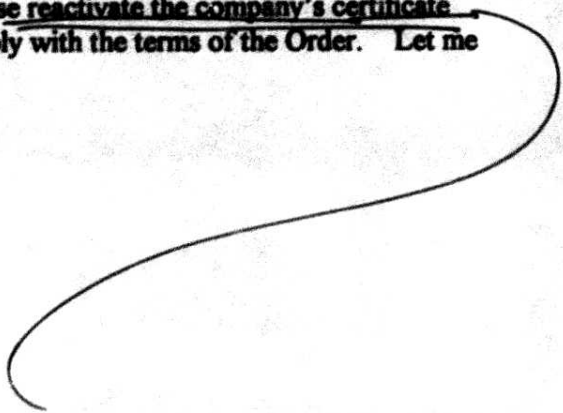
RE: Docket No. 981684-TI - Cancellation by Florida Public Service Commission of IXC Certificate No. 3546 issued to Network Access Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies

By Order No. PSC-99-0320-FOF-TI, issued February 18, 1999, the company had until March 18, 1999 to pay the \$500 fine and past due regulatory assessment fees. On March 12, 1999, Ms. Jackie Knight, Division of Administration, called me and stated she had received a check from this company for the fine and payment of the past due amount. However, the Divisions of Records and Reporting and Telecommunications did not receive the written proof from Administration until March 22, 1999. The company's letter and RAF form is date stamped March 11, 1999, which means the company paid the fine and fees in a timely manner.

This docket is currently closed. Therefore, please reactivate the company's certificate and change the closed date since the company did comply with the terms of the Order. Let me know if you have any questions.

cc: Division of Communications (Isler)
Division of Legal Services (J. Miller)

- ACK _____
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FPSC-RECORDS/REPORTING

From: Sandy Moses
To: Paula Isler
Subject: fwd: 981684-TI - PSC Certificate Cancellation - Network Access Inc.

====NOTE====3/23/99==2:37pm====
Protests were due 3/11/99. We received the following filing on 3/22. Do we need to reopen docket to handle payment of fine?

(Forgot to include the filing!! Here it is:)

ADM/FISCAL - Copy of \$750 check from Network Access for payment of fine and past due RAFs; Deposit D108 dated 3/22/99.

Fwd=by:=Paula=Isler==3/23/99==3:00pm====
Fwd to: Sandy Moses

.....
I need to send RAR a memo closing the docket and asking that the certificate not be canceled.

fwd=by:=Sandy=Moses==3/23/99==3:13pm====
Fwd to: Paula Isler

.....
The docket was closed and certificate canceled effective 3/19/99 because a timely response was not received in response to the PAA order (that included the extra five days following PAA expiration date.) SO, I guess my question should have been, reopen to reactivate certificate?

Fwd=by:=Paula=Isler==3/24/99==9:00am====
Fwd to: Sandy Moses

.....
My notes indicate that on 3/12, Jackie Knight called me at 8:45 a.m. and said she had received the fine and RAFs payment. They sent me a copy of what the company had sent and it is date-stamped 3/11/99, which was timely. Since it was received timely (Admin just did not send proof until after the docket was closed), does this mean that we need to reopen the docket? I'll do whatever you suggest. Thanks.

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Sandy, after rereading everything, I believe that the answer to your question is yes. We do need to reopen the docket to reactivate the certificate. My question is: do you want me to send you a memo like I did on some of the other cases where I asked that you reopened a case? Just let me know.

Fwd=by:=Sandy=Moses====
Fwd to: Paula Isler
CC: Nonnye Grant

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Since the protest was timely, the certificate should not have been canceled, (Fiscal really should send us immediate proof of compliance!) so we can reactivate it without reopening the docket. However, I would like for you to put all of the information in your previous e-mail in the memo and we'll change the closed date and Nonnye will take care of the reactivation in MCD.