

State of Florida



## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: APRIL 22, 1999

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

FROM: DIVISION OF TELECOMMUNICATIONS (ISLER) *PH* *W*  
DIVISION OF LEGAL SERVICES (K. PEÑA, J. MILLER) *gan* *VMP* *CB*

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

DOCKET NO. 981680-TI - MILITARY COMMUNICATIONS CENTER,  
INC.

DOCKET NO. 981887-TI - CONNECTONE COMMUNICATIONS  
CORPORATION

AGENDA: 05/04/99 - REGULAR AGENDA - INTERESTED PERSONS MAY  
PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\981680.RCM

#### CASE BACKGROUND

Docket No. 981680-TI  
Military Communications Center, Inc.

- 01/12/94 - This company obtained Florida Public Service Commission IXC Certificate No. 3508.
- 12/11/97 - The Division of Administration mailed the 1997 regulatory assessment fee (RAF) notice by certified mail.

DOCUMENT NUMBER-DATE

05125 APR 21 99

FPSC-RECORDS/REPORTING

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- **12/15/97** - Staff received the return receipt from the United States Postal Service (USPS) which showed that the RAF notice was signed for and delivered.
- **01/30/98** - Payment was due on this date. The Division of Administration advised staff by memorandum that this company had not paid its 1996 and 1997 RAFs, plus the 1996 and 1997 statutory penalty and interest charges.
- **02/19/99** - Order No. PSC-99-0328-FOF-TI was issued, which imposed a \$500 fine and required payment of the fine and past due amount by March 19, 1999.
- **03/11/99** - Staff received a copy of the company's 1996 RAF form dated February 22, 1999, which stated that the business closed in 1996. The company did not remit a check with the form. Staff contacted the company and was advised that the company would pay the past due amount in full and request voluntary cancellation of its certificate.
- **04/15/99** - The Division of Administration records show that the 1997 and 1998 regulatory assessment fees have now been paid.

**Docket No. 981887-TI**  
**ConnectOne Communications Corporation**

- **04/02/97** - This company obtained Florida Public Service Commission IXC Certificate No. 4846.
- **12/11/97** - The Division of Administration mailed the 1997 regulatory assessment fee (RAF) notice by certified mail.
- **12/18/97** - Staff received the return receipt from the USPS, which showed that the RAF notice was signed for and delivered.
- **01/30/98** - RAF payment was due. The Division of Administration advised staff by memorandum that this company had not paid its 1997 RAFs, plus the 1997 statutory penalty and interest charges.
- **02/24/99** - Order No. PSC-99-0397-FOF-TI was issued, which imposed a \$500 fine and required payment of the fine and past due amount by March 24, 1999.

- 03/12/99 - Mr. Patrick Watts called staff and advised that the company would pay the past due amount in full and request voluntary cancellation of its certificate.
- 04/15/99 - The Division of Administration records show that the 1997 and 1998 regulatory assessment fees have now been paid.

Staff believes the following recommendations are appropriate.

#### DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant the companies listed on page 5 a voluntary cancellation of their IXC certificates?

RECOMMENDATION: Yes. The Commission should grant the companies listed on page 5 a voluntary cancellation of their IXC certificates 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.

- The Division of Administration notified staff by memorandum that the companies listed on page 5 had not submitted the regulatory assessment fees for 1997, along with the 1997 statutory penalty and interest charges.

After Orders were issued, representatives of both companies listed on page 5 contacted staff and advised that the past due amounts would be paid in full and that voluntary cancellation of their certificates would be requested. The Division of Administration records show that both companies have now paid the past due charges.

Accordingly, staff believes the Commission should grant the companies listed on page 5 a voluntary cancellation of their IXC certificates with an effective date of December 31, 1998.

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**ISSUE 2:** Should these dockets be closed?

**RECOMMENDATION:** Yes, if the Commission approves staff's recommendation in Issue 1, these docket should be closed. (K. Peña, J. Miller)

**STAFF ANALYSIS:** If the Commission approves staff's recommendation in Issue 1, no other issues remain unresolved and these docket should be closed.

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DATE: APRIL 22, 1999

<u>DOCKET NO.</u>	<u>PROVIDER</u>	<u>CERTIFICATE NO.</u>
981680-TI	Military Communications Center, Inc.	3508
981887-TI	ConnectOne Communications Corporation	4846