

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 5269 issued to Advanced Cellular Corporation for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 981963-TX
ORDER NO. PSC-99-0919-AS-TX
ISSUED: May 10, 1999

DEPOSIT DATE
D136 MAY 14 1999

The following Commissioners participated in the disposition of this matter:

- JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN P. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Advanced Cellular Corporation (Advanced Cellular) currently holds Certificate of Public Convenience and Necessity No. 5269, issued by the Commission on November 24, 1997, authorizing the provision of alternative local exchange telecommunications service. The Division of Administration advised our staff by memorandum that Advanced Cellular had not paid the regulatory assessment fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 1997. Also, accrued statutory penalties and interest charges for late RAFs payments for the year 1997 have not been paid.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161, Florida Administrative Code, the form and applicable

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PINNACLE
3754 CENTRAL AVENUE
ST. PETERSBURG, FL 33711

REPUBLIC BANK
3000 54TH AVENUE SOUTH
ST. PETERSBURG, FL 33712

3025

CHECK NO. 3025

PAY ONE HUNDRED DOLLARS

DATE AMOUNT
05/12/99 *****\$100.00

TO THE ORDER OF
FLORIDA PUBLIC SERVICE COMM
CAPITAL CIRCLE OFFICE CENTER
2540 SHUMARD OAK BLVD
TALLAHASSEE, FL 32399-0850



AUTHORIZED SIGNATURE

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() Motion

(.) Order

Co. Name: Advanced Cellular Corporation

Suffix: IX

DESCRIPTION

Order PSC-99-0919-0S-IX approving settlement by Advanced Cellular docket to remain open pending receipt of \$100 contribution; close upon receipt of contribution. (BDCJJ)

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rules have been received and understood by the applicant and an affidavit must be attached to the application in order for the application to be processed. The RAF form was mailed to Advanced Cellular for the period of January 1, 1997, through December 31, 1997. Our correspondence regarding the RAFs was signed for and delivered to Advanced Cellular on January 26, 1998.

This item was deferred from the March 30, 1999 Agenda Conference at the company's request. Ms. Eva Solewicz, representative of the company, contacted our staff and advised that the company would pay all the past due charges and would propose a settlement offer. Advanced Cellular paid all the past due RAFs, along with statutory penalties and interest charges, and submitted a settlement offer. Advanced Cellular agreed to pay future regulatory assessment fees in a timely manner and contribute \$100 to the State General Revenue Fund.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. Advanced Cellular must comply with these requirements within five business days from the date this Order becomes final. The contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the \$100 contribution, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Advanced Cellular Corporation's settlement proposal summarized in the body of this Order is hereby approved. It is further

ORDERED that this docket shall remain open pending receipt of the \$100 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that upon receipt of the \$100 contribution, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 10th day of May, 1999.

/s/ Blanca S. Bayó
BLANCA S. BAYÓ, Director
Division of Records and Reporting



RECEIVED

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ADMINISTRATION
MAIL ROOM

PUBLIC SERVICE COMMISSION

**2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850**

To: James J. Lewis/TX144 Advanced C

Date: 5-18-99

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