

DEPOSIT

DATE FLORIDA PUBLIC SERVICE COMMISSION **

D155

JUN 18 1999

**DIVISION OF TELECOMMUNICATIONS
BUREAU OF CERTIFICATION AND SERVICE EVALUATION**

RECEIVED
STATE OF FLORIDA
PUBLIC SERVICE COMMISSION
JUN -8 PM 3 11
TALLHASSEE

**Application Form
for Authority to Provide
Interexchange Telecommunications Service
Between Points Within the State of Florida**

Instructions

- ◆ This form is used as an application for an original certificate and for approval of assignment or transfer of an existing certificate. In the case of an assignment or transfer, the information provided shall be for the assignee or transferee (See Appendix A).
- ◆ Print or Type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.
- ◆ Use a separate sheet for each answer which will not fit the allotted space.

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC _____
- WAW _____
- OTH _____

Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of **\$250.00** to:

**Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770**

Note: **No filing fee is required** for an assignment or transfer of an existing certificate to another certificated company.



QUEST TELECOMMUNICATIONS, INC.
A WHOLLY OWNED SUBSIDIARY OF TELTRUST, INC.
242 FALCON DRIVE • (800) 277-7682
FOREST PARK, GEORGIA 30297-1602

KEY BANK, N.A.
52-60/112

060002126

002126

*EIGHT HUNDRED FIFTY SIX DOLLARS AND 57 CENTS DATE

AMOUNT

04/30/99

*****856.57*

PAY TO THE ORDER OF Florida Public Service Commiss
Div of Telecommunications
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0850

VOID AFTER 6 MONTHS
TWO SIGNATURES REQUIRED OVER \$3,000.00

30-FLPSC

DOCUMENT NUMBER-DATE

07396 JUN 18 99

⑈0060002126⑈

Security features included. Details on Back

QUEST TELECOMMUNICATIONS, INC. - Forest Park, Georgia 30297-1602

060002126

| DATE | INVOICE NO | COMMENT | AMOUNT | DISCOUNT | NET AMOUNT |
|----------|------------|---------------|--------|----------|------------|
| 04/21/99 | 990421 | 96,97,98 Fees | 856.57 | .00 | 856.57 |

AMOUNT DATE
7155 JUN 18 1999

Fine 300.00

*Rep
Bald 15.00*

DUCKET 4812 79

CHECK: 002126 04/30/99 Florida Public Service Commiss CHK TOTAL: 856.57

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of
Interexchange Telecommunications
Certificate No. 3476 issued to
Quest Telecommunications, Inc.
for violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees; Telecommunications
Companies.

DOCKET NO. 981679-TI
ORDER NO. PSC-99-0330-FOF-TI
ISSUED: February 19, 1999

The following Commissioners participated in the disposition of
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER IMPOSING FINE AND REQUIRING PAYMENT OF REGULATORY
ASSESSMENT FEES, OR CANCELING INTEREXCHANGE
TELECOMMUNICATIONS CERTIFICATE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Quest Telecommunications, Inc. (Quest) obtained Certificate No. 3476 on September 21, 1993. Quest has not paid the regulatory assessment fees (RAF) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 1997, nor statutory penalties and interest charges for the years 1996 and 1997. Under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual regulatory assessment fee of \$50 if the certificate was active during any portion of the

calendar year. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing interexchange telecommunications service and an affidavit in which the applicants attest that the rules have been received and understood by the applicant. This affidavit must be attached to the application in order for the application to be processed.

Pursuant to Section 350.113(4), Florida Statutes, the regulatory assessment fee forms, for the period of January 1, through December 31, are mailed to the entities at least 45 days prior to the date that payment of the fee is due. Quest has been given adequate opportunity to pay. To date, Quest has not paid the required fees.

For the reason described above, pursuant to Rule 25-24.474(1)(b) and (c), Florida Administrative Code, we find it appropriate to cancel Quest's certificate, with the effective date of December 31, 1998, for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, unless Quest pays a \$500 fine and remits all past due regulatory assessment fees, along with statutory penalties and interest charges, to the Florida Public Service Commission. Quest must comply with these requirements within five business days from the date this Order becomes final. The fine will be remitted to the Comptroller for deposit in the State of Florida General Revenue Fund, pursuant to Section 364.516, Florida Statutes.

When the appropriate fees, statutory penalties, interest charges, and fine are received, this Docket shall be closed. Should Quest fail to comply with this Order within five business days from the date this Order becomes final, Quest shall have its certificate canceled, with the effective date of December 31, 1998, and the Docket shall be closed. The cancellation of the certificate and the closing of the Docket in no way diminishes Quest's obligation to pay applicable delinquent regulatory assessment fees, statutory penalties, and interest charges.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Quest Telecommunications, Inc. must pay the past due regulatory assessment fees, statutory penalties, interest charges, and a \$500

ORDER NO. PSC-99-0330-FOF-TI
DOCKET NO. 981679-TI
PAGE 3

fine to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within five business days from the date this Order becomes final. The fine will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that should Quest Telecommunications, Inc. fail to comply with this Order, Quest Telecommunications, Inc.'s Certificate No. 3476 shall be canceled, with the effective date of December 31, 1998, and the Docket shall be closed. It is further

ORDERED that the cancellation of the certificate and the closing of the docket in no way diminishes Quest Telecommunications, Inc.'s obligation to pay applicable delinquent regulatory assessment fees, statutory penalties, and interest charges. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed upon payment of the fine and fees, or upon cancellation of the certificate.

By ORDER of the Florida Public Service Commission this 19th day of February, 1999.

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

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-850-413-6770.

(S E A L)

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 12, 1999.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

QUESTIONS AND ANSWERS

12. I
20.06 RAF P
P-30.06
I-4.01

DEPOSIT

DATE

JUN 18 1999

D 1.55

060002126
68.81 RAF
30.06 P
7.70 I
6/4/99
PP
71175

~~106.07~~

256.57
250.
~~106.57~~

| | RAF | P | I |
|------|--------------|--------------|-------------|
| 98 | | 20.06 | 4.01 |
| 97 - | 68.81 | | 1.69 |
| 96 | | 10.00 | 2.00 |
| | <u>68.81</u> | <u>30.06</u> | <u>7.70</u> |
| | | | 106.57 |

500.00 Fine
250.00 Application Fee

RAF
Pay 2. 1520.

From: Kay Flynn
To: Catherine Bedell, Paula Isler
Subject: fwd: certificates and cancellations etc.

====NOTE=====6/15/99==4:04pm=====

CC: Pat Page

Pat Page just brought over an application for IXC cert. The applicant is paying the \$250 filing fee, past-due RAFs, AND the \$500 fine (we canceled his cert recently). Pat had a good question. What happens with that canceled cert since he is now paying the fine ("pay fine OR cert will be canceled")? Is his original cert to be reinstated? Does he truly owe a \$250 filing fee for new cert? Kay

P.S. I'll ask her not to deposit the check till I get a response.

Fwd=by:=Pat=Page=====6/17/99==8:55am=====

Fwd to: Kay Flynn

Fwd=by:=Kay=Flynn=====6/17/99==8:57am=====

Fwd to: Catherine Bedell, Paula Isler

CC: Kimberley Pena, Pat Page

Paula or Cathy, can I get a response concerning this? The application has now been delivered to us and Pat continues to hold the check. Should we docket the application? Should the check be deposited? Kay

Fwd=by:=Kimberley=Pen=6/17/99=10:14am=====

Fwd to: Kay Flynn

CC: Paula Isler

The time this company had to act has passed. The \$500 is a remedial act from the company to show that second time around they will following our rules. However, since they got cancelled, they must start from scratch and re-apply for a certificate, thus there's the \$250 check. Please send check through and docket a new application. Thanks!

Fwd=by:=Kay=Flynn=====

Fwd to: Kimberley Pena

CC: Pat Page

Thanks, Kim. Pat, please deposit check and give us a copy of the deposit info for the new docket file. Kay

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

June 18, 1999

Brent Jones, Tax Accountant
Quest Telecommunications, Inc.
6322 South 3000 East
Salt Lake City, Utah 84121-6922

Re: Docket No. 990784-TI

Dear Mr. Jones:

This will acknowledge receipt of an application for certificate to provide interexchange telecommunications service by Quest Telecommunications, Inc., which was filed with this office on June 17, 1999 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Please make notes as well that Commission Rule 25-22.005(7), F.A.C., requires certificated companies to notify the Commission of any changes in name, telephone, address, or contact person. Should your application be granted by the Commission, you will be expected to comply with this rule by advising us of any changes as they occur.

Division of Records and Reporting
Florida Public Service Commission