

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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RECORDS AND REPORTING

DATE: NOVEMBER 18, 1999

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

FROM: DIVISION OF TELECOMMUNICATIONS (ISLER) *PK* *AD*
DIVISION OF LEGAL SERVICES (K. PEÑA; C. BEDELL) *ref. CB*

RE: DOCKET NO. 990899-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 100 ISSUED TO ADTEC COMMUNICATIONS, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

AGENDA: 11/30/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\990899.RCM

CASE BACKGROUND

- **08/12/85** - This company obtained PATS Certificate No. 100.
- **12/10/98** - The 1998 Regulatory Assessment Fee (RAF) Notice was mailed. Payment was due 02/01/99.
- **03/17/99** - The Division of Administration mailed a delinquent letter for the 1998 RAF.
- **09/20/99** - Order No. PSC-99-1816-PAA-TC was issued, which imposed a \$500 fine or canceled the company's certificate.
- **10/15/99** - Ms. Dana Hoyle, representative of Adtec, called staff and advised she wanted the certificate canceled.

DOCUMENT NUMBER-DATE

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FPSC RECORDS/REPORTING

- **10/18/99** - The Commission received the company's check for the past due fees, including statutory penalty and interest charges, the \$500 fine, and a letter, which requested voluntary cancellation of the company's certificate. The company reported no revenues on its 1998 return. In addition, the company paid the 1999 regulatory assessment fee, which is not due until January 31, 2000. Also, on this date, Consummating Order No. PSC-99-2036-CO-TC was issued.

Therefore, staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant Adtec Communications, Inc. a voluntary cancellation of its Pay Telephone Certificate No. 100?

RECOMMENDATION: Yes. The Commission should grant the company a voluntary cancellation of its pay telephone certificate with an effective date of October 18, 1999. (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.

On September 20, 1999, Order No. PSC-99-1816-PAA-TC was issued, which imposed a \$500 fine or canceled the company's certificate. The company had until October 11 to protest the Order and until October 18 to pay the fees and fine. On October 18, the Commission received the company's payment for all outstanding regulatory assessment fees, including statutory penalty and interest charges. In addition, the company paid the 1999 regulatory assessment fee and the \$500 fine. The company included a letter with its payment and requested voluntary cancellation of its certificate.

Accordingly, staff believes the company's request for a voluntary cancellation of its pay telephone certificate should be granted with an effective date of October 18, 1999.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (K. Peña; C. Bedell)

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