

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

RECORDS AND REPORTING

99 DEC -9 AM 10:06

RECEIVED-FPSC

DATE: DECEMBER 9, 1999

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

FROM: DIVISION OF TELECOMMUNICATIONS (ISLER) *DIK*
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *KMP BL*

RE: DOCKET NO. 991162-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 5464 ISSUED TO AMERICAN GLOBAL TELCOM, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

AGENDA: 12/21/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\991162.RCM

CASE BACKGROUND

- **10/16/97** - This company obtained PATS Certificate No. 5464.
- **08/19/99** - Staff opened this docket after being notified that American Global Telcom, Inc. had not paid its 1998 regulatory assessment fee (RAF).
- **09/18/99** - The company paid the fee and reported revenues of \$8,186.80 for the period ending 12/31/98. The company did not pay the statutory penalty and interest charges.
- **10/05/99** - Staff called the company and left a message for a call back.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

- **10/08/99** - Staff wrote the company and explained that penalty and interest charges were still outstanding.
- **10/19/99** - Mr. Bob Weaver, President, called staff and advised that he would pay the past due amount in full and request cancellation of his certificate.
- **11/15/99** - The Commission received a check for the past due amount in full and the company's letter requesting cancellation of its certificate.

Staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant American Global Telcom, Inc. a voluntary cancellation of its Pay Telephone Certificate No. 5464?

RECOMMENDATION: Yes. The Commission should grant the company a voluntary cancellation of its pay telephone certificate with an effective date of November 15, 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.

After the docket had been opened, but prior to staff taking a recommendation to the Commission, the company paid the past due amount in full, including statutory penalty and interest charges, and requested 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 November 15, 1999.

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; B. Keating)

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