

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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RECEIVED-FPSC
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RECORDS AND REPORTING

DATE: JANUARY 6, 2000

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

FROM: DIVISION OF TELECOMMUNICATIONS (ISLER) *Pij*
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *MP*

RE: DOCKET NO. 991540-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 4684 ISSUED TO NATIONS BELL, INC. D/B/A NATIONS TEL AND MTS/COMMUNICALL FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES

AGENDA: 01/18/00 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\991540.RCM

CASE BACKGROUND

- 08/13/96 - This company obtained IXC Certificate No. 4684.
- 12/10/98 - The Division of Administration mailed the regulatory assessment fee (RAF) notice. In accordance with Florida Statute 350.113(4), the Commission "shall provide each regulated company with written notice of the date that payment of the fee is due at least 45 days prior to such date", which would put the due date to February 1, 1999.
- 03/17/99 - The Division of Administration mailed a delinquent letter.

DOCUMENT NUMBER-DATE

00163 JAN-68

FPSC-RECORDS/REPORTING

DOCKET NO. 991540-T1
DATE: JANUARY 6, 2000

- **10/19/99** - Mr. Steven L. Green, Vice President, called staff and advised that the company would pay the past due amount and make a settlement offer.
- **11/05/99** - The Commission received the company's check for the past due amount, including statutory penalty and interest charges, and a proposal to pay a \$100 settlement. The company advised it had taken steps to prevent this from happening in the future.

Staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission accept the settlement offer proposed by Nations Bell, Inc. d/b/a Nations Tel and MTS/Communicall to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. Any contribution should be received by the Commission within ten business days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, the company's certificate should be canceled administratively. (Isler)

STAFF ANALYSIS: After the docket was opened but prior to a recommendation being filed, the company paid the past due balance in full, including statutory penalty and interest charges, proposed to pay a \$100 settlement, and advised it had taken steps to prevent this from happening in the future.

Accordingly, staff believes the terms of the settlement agreement as summarized in this recommendation should be accepted. Any contribution should be received by the Commission within ten business days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, the company's certificate should be canceled administratively.

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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 upon receipt of the \$100 contribution or cancellation of the certificate. (K. Peña; B. Keating)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate.



November 11, 1999

-----VIA FACSIMILE-----

Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 991503-TI
Docket No. 991614-TC

Docket No. 991540-TI

Dear Ms. Bayó:

The Florida Public Telecommunications Association, Inc. requests that it be included on the mailing list as an interested entity in each of the above-referenced dockets. Please address all correspondence as follows:

Angela B. Green, General Counsel
Florida Public Telecommunications Association, Inc.
125 South Gadsden Street, Suite 200
Tallahassee, Florida 32301

Thank you for your assistance with this matter.

Sincerely,

Angela B. Green
General Counsel

991503mailinglist.doc

added

11-12-99