

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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

**DATE:** FEBRUARY 17, 2000

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

**FROM:** DIVISION OF TELECOMMUNICATIONS (ISLER) *PIF*  
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *AD-? K. Peña BK*

**RE:** CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES

DOCKET NO. 991451-TI - WINSTAR WIRELESS, INC.  
DOCKET NO. 991579-TI - LCI INTERNATIONAL TELECOM CORP.  
D/B/A QWEST COMMUNICATIONS SERVICES  
DOCKET NO. 991585-TI - STRATEGIC TECHNOLOGIES, INC.  
DOCKET NO. 991771-TI - MICROSUN TELECOMMUNICATIONS, INC.  
DOCKET NO. 991775-TI - TRICOM USA, INC.  
DOCKET NO. 991824-TI - ITELSA (USA), INC.  
DOCKET NO. 991830-TI - PUBLIC INTEREST NETWORK SERVICES, INC.  
DOCKET NO. 991833-TI - NORTH AMERICAN TELECOMMUNICATIONS CORPORATION D/B/A SOUTHEAST TELEPHONE COMPANY  
DOCKET NO. 991851-TI - NETWORK INTERNATIONAL, LC D/B/A NETWORK INTERNATIONAL OF THE SOUTH, LC  
DOCKET NO. 991865-TI - MGC COMMUNICATIONS, INC.  
DOCKET NO. 991866-TI - CAMPUSLINK COMMUNICATIONS SYSTEMS, INC. D/B/A PARKLINK COMMUNICATIONS, INC.  
DOCKET NO. 991870-TI - PAETEC COMMUNICATIONS, INC.

**AGENDA:** 02/29/00 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMU\WP\991451.RCM

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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991870-TI

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### CASE BACKGROUND

The companies listed on page 5 were mailed the 1998 Regulatory Assessment Fee (RAF) Notice and payment was due by February 1, 1999. On March 17, 1999, the Division of Administration mailed a delinquent letter for the 1998 RAF.

After the dockets were opened, the companies listed on page 5 paid the past due amounts in full and offered to pay a \$100 settlement and proposed to pay future regulatory assessment fees on a timely basis.

Staff believes the following recommendations are appropriate.

### DISCUSSION OF ISSUES

**ISSUE 1:** Should the Commission accept the settlement offer proposed by each company listed on page 5 to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

**RECOMMENDATION:** Yes. The Commission should accept the companies' settlement proposal. 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 any of the companies listed on page 5 fails to pay in accordance with the terms of the Commission Order, that company's certificate should be canceled administratively. (Isler)

**STAFF ANALYSIS:** After the docket was opened, each company listed on page 5 contacted staff and paid the past due amounts in full. In addition, each company listed on page 5 offered a settlement in the amount of \$100 and proposed to pay future RAFs on a timely basis.

Accordingly, staff believes the terms of the settlement agreements as summarized in this recommendation should be accepted. Any contribution should be received by the Commission within ten

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**ISSUE 2:** Should these dockets be closed?

**RECOMMENDATION:** Yes, if the Commission approves staff's recommendation in Issue 1, the docket for each company listed on page 5 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, the docket for each company listed on page 5 should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

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<u>DOCKET NO.</u>	<u>PROVIDER LAST REPORTED REVENUES &amp; PERIOD COVERED</u>	<u>CERT. NO.</u>	<u>RAFs</u>	<u>P and I</u>
991451-TI	WinStar Wireless, Inc. \$0 Revenues for Period Ended 12/31/98	2699	1997 (Bal.) 1998	1997 (Bal.) 1998
991579-TI	Qwest Communications Services \$8,794,647 Revenues for Period Ended 12/31/98	2300	1998	1994 (Bal.) 1996 1998
991585-TI	Strategic Technologies, Inc. \$0 Revenues for Period Ended 12/31/98	5300	1998	1998
991771-TI	MicroSun Telecommunications, Inc. \$0 Revenues for Period Ended 12/31/98	5664	1998	1998
991775-TI	TRICOM USA, Inc. \$1,041,796 Revenues for Period Ended 12/31/98	5631	1998	1998
991824-TI	iTELSA (USA), Inc. \$83,800 Revenues for Period Ended 12/31/98	5672	1998	1998
991830-TI	Public Interest Network Services, Inc. \$612.94 Revenues for Period Ended 12/31/98	5682	1998	1998
991833-TI	Southeast Telephone Company \$0 Revenues for Period Ended 12/31/98	5685	1998	1998
991851-TI	Network International of the South, LC \$2,559 Revenues for Period Ended 12/31/98	5728	1998	1998
991865-TI	MGC Communications, Inc. \$0 Revenues for Period Ended 12/31/98	5752	1998	1998
991866-TI	Parklink Communications, Inc. \$9,775.04 Revenues for Period Ended 12/31/98	5750	1998	1998
991870-TI	PaeTec Communications, Inc. \$230.97 Revenues for Period Ended 12/31/98	5757	1998	1998