

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: MARCH 16, 2000

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

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

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

DOCKET NO. 991962-TX - OPTEL (FLORIDA) TELECOM, INC.
D/B/A OPTEL
DOCKET NO. 991966-TX - OMNICALL, INC.
DOCKET NO. 991967-TX - NORTH AMERICAN TELECOMMUNICATIONS
CORPORATION D/B/A SOUTHEAST TELEPHONE COMPANY
DOCKET NO. 991979-TX - PRE-CELL SOLUTIONS/FAMILY PHONE
SERVICE, INC.
DOCKET NO. 991991-TX - SOUTHNET TELECOMM SERVICES, INC.
DOCKET NO. 992000-TX - PUSHBUTTON PAGING & COMMUNICATION,
INC.
DOCKET NO. 992002-TX - NEWSOUTH COMMUNICATIONS CORP.
DOCKET NO. ~~992003~~-TX - DIAL TONE, INC. D/B/A DIAL TONE
OF ALABAMA, INC.

AGENDA: 03/28/00 - REGULAR AGENDA - INTERESTED PERSONS MAY
PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\991962.RCM

CASE BACKGROUND

The companies listed on page 4 were mailed the 1998 Regulatory
Assessment Fee (RAF) Notice and payment was due by February 1,

DOCUMENT NUMBER-DATE

03276 MAR 15 8

FPSC-RECORDS/REPORTING

DOCKET NOS. 9912-TX, 991966-TX, 991967-TX, 991979-TX, 991991-TX, 992000-TX, 992002-TX, 992003-TX
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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 4 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 4 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 proposals. 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 4 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 4 contacted staff and paid the past due amounts in full. In addition, each company listed on page 4 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 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

DOCKET NOS. 991962-TX, 991966-TX, 991967-TX, 991979-TX, 991991-TX, 992000-TX, 992002-TX, 992003-TX
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page 4 fails to pay in accordance with the terms of the Commission Order, that company's certificate should be canceled administratively.

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 4 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 4 should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

DOCKET NOS. 991962-TX, 991966-TX, 991967-TX, 991979-TX, 991991-TX, 992000-TX, 992002-TX, 992003-TX
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<u>DOCKET NO.</u>	<u>PROVIDER LAST REPORTED REVENUES & PERIOD COVERED</u>	<u>CERT. NO.</u>	<u>RAFs</u>	<u>P and I</u>
991962-TX	OpTel \$80,754.47 Revenues for Period Ended 12/31/99	4818	1998	1998
991966-TX	Omnicall, Inc. \$43,362.29 Revenues for Period Ended 12/31/99	5293	1998	1998
991967-TX	Southeast Telephone Company \$0 Revenues for Period Ended 12/31/99	5314	1998	1998
991979-TX	Pre-Cell Solutions \$137,663 Revenues for Period Ended 12/31/99	5265	1998	1997 1998
991991-TX	SouthNet Telecomm Services, Inc. \$0 Revenues for Period Ended 12/31/99	5710	1998	1998
992000-TX	Pushbutton Paging & Communication \$0 Revenues for Period Ended 12/31/99	5727	1998	1998
992002-TX	NewSouth Communications Corp. \$15,471.62 Revenues for Period Ended 12/31/99	5754	1998	1998
992003-TX	Dial Tone of Alabama, Inc. \$167,542.27 Revenues for Period Ended 12/31/99	5758	1998	1998