

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
MARCH 15 AM 9:50
RECEIVED-PSC
MMP

DATE: MARCH 16, 2000
TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)
FROM: DIVISION OF TELECOMMUNICATIONS (ISLER) *DK*
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *MP*
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. 991453-TI - TRANSAMERICA COMMUNICATIONS, INC.
DOCKET NO. 991532-TI - AMERICAN CYBER CORPORATION D/B/A DISCOUNT PLUS

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

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\991453.RCM

CASE BACKGROUND

The companies listed on page 4 were mailed the 1998 Regulatory Assessment Fee (RAF) Notice and payment was due by 02/01/99. On March 17, 1999, the Division of Administration mailed a delinquent letter for the 1998 RAF.

The Commission issued Orders, which imposed a fine or canceled the companies' certificates. The companies paid the past due amounts, including statutory penalty and interest charges, and requested voluntary cancellation.

DOCUMENT NUMBER-DATE

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RECORDS AND REPORTING

Therefore, staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant the companies listed on page 4 a voluntary cancellation of their Interexchange Telecommunications Certificate?

RECOMMENDATION: Yes. The Commission should grant each company a voluntary cancellation of its interexchange telecommunications certificate to be effective on the date payment was made and the request for cancellation was received. (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.

The Division of Administration notified staff that each company listed on page 4 had not submitted the 1998 regulatory assessment fees, along with statutory penalty and interest charges, for the year 1998. Therefore, the companies have failed to comply with Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies.

After Orders were issued, which imposed a fine or canceled the interexchange telecommunications' certificates, each company listed on page 4 contacted staff, paid the past due amount in full, including statutory penalty and interest charges, and requested voluntary cancellation of their respective certificates.

Accordingly, staff believes the companies' request for a voluntary cancellation of their respective interexchange telecommunications certificate should be granted to be effective on the date payment was made and the request for cancellation was received.

DOCKET NO. 991453-TI, 991532-TI
DATE: MARCH 16, 2000

ISSUE 2: Should these dockets be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1, these dockets 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 these dockets should be closed.

DOCKET NO. 991453-TI, 991532-TI
DATE: MARCH 16, 2000

<u>DOCKET NO.</u>	<u>PROVIDER LAST REPORTED REVENUES & PERIOD COVERED</u>	<u>CERT. NO.</u>	<u>Effective Date of Cancellation</u>
991453-TI	TransAmerica Communications, Inc. \$0 Revenues for Period Ending 12/31/99	2941	03/06/00
991532-TI	Discount Plus \$0 Revenues for Period Ending 12/31/99	4053	09/13/99