

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-

RECORDED AND REPORTING
03 MAR 15 AM 9:50
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DATE: MARCH 16, 2000
TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)
FROM: DIVISION OF TELECOMMUNICATIONS (ISLER) Pji
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) Bmp
RE: CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES

DOCKET NO. 991211-TC - KENT ENTERPRISES, INC.
DOCKET NO. 991309-TC - GCB COMMUNICATIONS, INC.
DOCKET NO. 991312-TC - TELE COM, CORP.
DOCKET NO. 991358-TC - SM 106 LTD.

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

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\991211.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, 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.

DOCUMENT NUMBER DATE
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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 page 4 fails to pay in accordance with the terms of the Commission Order, that company's certificate should be canceled administratively.

DOCKET NOS. 991211-TC, 991309-TC, 991312-TC, 991358-TC
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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 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. 991211-TC, 991309-TC, 991312-TC, 991358-TC
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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>
991211-TC	Kent Enterprises, Inc. \$0 Revenues for Period Ended 12/31/99	5851	1998 (Bal.)	1998
991309-TC	GCB Communications, Inc. \$2,094.03 Revenues for Period Ended 12/31/99	5978	1998	1998
991312-TC	Tele Com, Corp. \$11,819.11 Revenues for Period Ended 12/31/99	5955	1998	1998 1994 (Bal.) 1998
991358-TC	SM 106 Ltd. \$1,212.60 Revenues for Period Ended 12/31/99	5880	1998	1998