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@xess changes the way people communicate • Call people instead of places.

Settlement Letter

March 13, 2000

Ms. Blanco Bayo
Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Dear Ms. Bayo,

Re: **Docket No. 991831-TI; @Xess Communications, Inc.**

Please accept our apology for the rule violation identified in attached PSC memo (dated March 13, 2000). We believe our response satisfies the requirements identified in this memo.

@Xess Communications, Inc. wishes to maintain its IXC certificate. The following steps have been taken to assure timely fee payment:

1. An internal process is now in place to assure that PSC-related correspondence is identified, processed and returned within the required timeframes.
2. Internal budgets include anticipated payment dates for IXC and ALEC assessment fees.
3. We have coordinated with your office to assure current address and contact information for @Xess.

@Xess proposes a settlement of \$100.00. Please contact me with any questions.

Sincerely,

Paul Coffey 727.367.0367 ext. 8101
Executive Vice President
@Xess Communications, Inc.
e-mail: pc@getaxess.com

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cc: Jim McArthur
President

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Public Service Commission

2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

FOR YOUR INFORMATION

DATE: March 13, 2000
TO: Jim McArthur, (727) 367-0365-fax
FROM: *Dix* Paula Isler, (850) 413-6502-voice; 413-6503-fax; internet address is:
pisler@psc.state.fl.us
RE: Docket No. 991831-TI; @xess Communications, Inc.

We have received your payments for the 1998 and 1999 regulatory assessment fees. However, if you wish to keep your IXC certificate active, you also need to make a settlement offer. In other cases dealing with this rule violation, the Commission has accepted a \$100 settlement in lieu of the \$500 fine imposed. The settlement letter needs to include the following:

- Docket number;
- Statement that it has taken steps to prevent future late payments of the regulatory assessment fees; and
- Make a specific monetary settlement.

Any settlement offer should be addressed to Ms. Blanca Bayó, Director, Division of Records and Reporting, Florida Public Service Commission, at the above address. The proposed settlement amount should not be paid at this time. It will become due after the Commissioners vote on this issue.

Please respond in writing by March 28, 2000. If you have any questions, please let me know.