

M E M O R A N D U M

May 23, 2000

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (VACCARO) *N*
RE: DOCKET NO. 000217-TX - INITIATION OF SHOW CAUSE
PROCEEDINGS AGAINST ATI TELECOM, INC. FOR APPARENT
VIOLATION OF SECTION 364.183(1), F.S., ACCESS TO COMPANY
RECORDS.

Please place the attached letter from Thomas K. Crowe in the
above-referenced docket file.

TV/sa
Attachment

APP _____
CSE _____
CMP _____
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CTR _____
EOR _____
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PAI _____
RGO _____
SEC I _____
SER _____
OTH _____

DOCUMENT NUMBER-DATE
06432 MAY 24 8
FPSC-RECORDS/REPORTING

LAW OFFICES OF THOMAS K. CROWE, P.C.

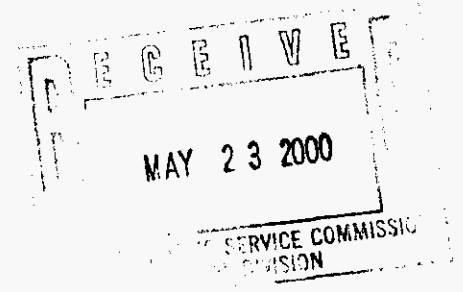
2300 M STREET, N.W.
SUITE 800
WASHINGTON, D.C. 20037

TELEPHONE (202) 973-2890
FAX (202) 973-2891
E-MAIL tkcrowe@bellatlantic.net

May 22, 2000

BY FEDEX

Tim Vaccaro
Senior Attorney
Division of Legal Services
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



Re: ATI Telecom, Inc.; Docket No. 000217-TX;
Settlement Offer to Order No. PSC-00-0648-SC-TX

Dear Mr. Vaccaro:

The following settlement is offered on behalf of ATI Telecom, Inc. ("ATI") in relation to the Commission's March 28, 2000 Order to Show Cause ("Order") in the above-captioned proceeding. The Order required ATI to show cause as to why it failed to respond to the Commission's local competition questionnaire. ATI timely filed a Response with the Commission on April 28, 2000, in which it explained that its failure to reply was not "wilful" within the meaning of Section 364.285, Florida Statutes, Fla. Stat. ch. 364.285 (1999) and, therefore, no penalty at all should be imposed by the Commission.

ATI wishes to put this matter behind it without the expenditure of additional resources for a hearing or other legal process. ATI also recognizes that the Commission's resources are better devoted to more important matters. Accordingly, ATI is willing to offer a voluntary settlement or payment of \$3,500 to the State of Florida to resolve this matter. ATI respectfully requests that any order or ruling by the Commission in this matter reflect that 1) the payment is a voluntary settlement (and not reflect that it is a fine); and 2) no determination as to fault or violation is being made.

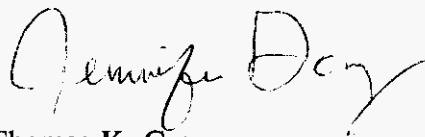
It is also important to note that ATI has taken the necessary steps to prevent an incident

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similar to the one which led to the issuance of the Order from occurring again in the future. The circumstances which gave rise to the Order involved 1) confusion over ATI's current contact address and 2) a 1999 office relocation. These problems have been addressed as ATI returned a completed form to the Commission in March, 2000 to update information contained in the Master Commission Directory of Regulated Utilities. The form shows the company's new business address and new contact person, Susan Cutright, Vice President and General Counsel (*see* enclosed form). As a result, all correspondence from the Commission will be properly routed such that it will receive prompt attention and a response, where necessary. ATI takes its obligations as a certified carrier very seriously and places a high degree of importance on responding to all regulatory notices on a timely basis.

Please file-stamp and return the extra copy of this filing in the self-addressed, stamped envelope for this purpose. All communications concerning this letter should be directed to the undersigned.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer Gorny".

Thomas K. Crowe
Jennifer Gorny,
Counsel for ATI Telecom, Inc.

Enclosures

cc: Melinda Watts, Florida Public Service Commission (via fax)

ATI Telecom, Inc.

Company Code: T1652

Certificate No(s): 5169

<p>Physical Location: 110-72 Corona Avenue Corona, NY 11368</p>	<p>ENTER CORRECTIONS BELOW: <u>22 CORTLANDT STREET 33RD FLR</u> <u>NEW YORK NY 10007</u></p>
<p>Mailing Address: 110-72 Corona Avenue Corona, NY 11368</p>	<p><u>22 CORTLANDT STREET 33RD FLR</u> <u>NEW YORK NY 10007</u></p>
<p>Liaison Officer(s): 1. Pat Dowhie, Vice President, (718) 271-4300 2. Name, Title, Phone number</p>	<p><u>SUSAN CUTRIGHT, SECRETARY</u> <u>212 981 9100</u></p>
<p>Fax No(s): (718) 760-2201, Fax 2 E-mail address: Web address: Federal Employee ID No.:</p>	<p><u>212 981 9101</u> <u>SCUTRIGHT@INTERROUTEUSA.COM</u> <u>WWW.INTERROUTEUSA.COM</u> <u>11-3180179</u></p>

IMPORTANT NOTE:

The following section is applicable ONLY to companies with d/b/a as part of their official company name.

All official correspondence is addressed to the "Mailing Name" of regulated companies. The "Mailing Name" is the last d/b/a of the company's official name. Our records reflect the mailing name shown below for your company. If you prefer to receive official correspondence in another mailing name, please make the change in the space provided. The name can be no longer than 58 characters (including spaces) and **MUST** be part of the official company name.

MAILING NAME:

ATI Telecom, Inc.

COMPLETED BY: SUSAN CUTRIGHT **DATE:** 3-22-00