

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-

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**DATE:** JUNE 8, 2000

**TO:** DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

**FROM:** DIVISION OF COMPETITIVE SERVICES (ISLER) *Pji* *add*  
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *MP* *BIC*

**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. 991965-TX - PHILACOM INC.  
DOCKET NO. 991970-TX - UNITED STATES TELECOMMUNICATIONS,  
INC. D/B/A TEL COM PLUS  
DOCKET NO. 992004-TX - ALL KINDS CASHED, INC.

**AGENDA:** 06/20/00 - REGULAR AGENDA - INTERESTED PERSONS MAY  
PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMP\WP\991965.RCM

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#### 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, including the 1999 RAFs, 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

06962 JUN-88

FPSC-RECORDS/REPORTING

**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 proposal. 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 1998 RAFs, penalty and interest charges and the 1999 RAFs. 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.

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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.

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<u>DOCKET NO.</u>	<u>PROVIDER</u> <u>LAST REPORTED REVENUES &amp; PERIOD COVERED</u>	<u>CERT.</u> <u>NO.</u>	<u>RAFs</u>	<u>P and I</u>
991965-TX	Philacom Inc. \$0 Revenues Reported For Period Ended 12/31/99	5282	1998 1999	1997 1998 1999
991970-TX	Tel Com Plus \$1,328,415.05 Revenues Reported For Period Ended 12/31/99	5586	1998 1999	1998 1999
992004-TX	All Kinds Cashed, Inc. \$0 Revenues Reported For Period Ended 12/31/99	5760	1998 1999	1998 1999