



Public Service Commission

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RECORDS AND REPORTING

-M-E-M-O-R-A-N-D-U-M-

DATE: JUNE 8, 2000

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

FROM: DIVISION OF COMPETITIVE SERVICES (ISLER) *ijc*
DIVISION OF LEGAL SERVICES (BANKS) *PRB BIC*

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. 000340-TC - GLENN L. WILLIAMS D/B/A PUBLIC PAYPHONE COMPANY
DOCKET NO. 000456-TC - DANA ROBERTS D/B/A NEW WORLD TELECOMMUNICATIONS

AGENDA: 06/20/00 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\000340.RCM

CASE BACKGROUND

The companies listed on page 4 were mailed the 1999 Regulatory Assessment Fee (RAF) Notice and payment was due by 01/31/00. On February 29, 2000, the Division of Administration mailed a delinquent notice for the 1999 RAF.

The companies listed on page 4 wrote the Commission and advised that they were no longer in service, would not pay the past due amounts, and requested cancellation of their certificates.

Staff believes the following recommendations are appropriate.

DOCUMENT NUMBER-DATE

06963 JUN-88

FPSC-RECORDS/REPORTING

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant the companies listed on page 4 a voluntary cancellation of their Pay Telephone Certificates?

RECOMMENDATION: No. The Commission should not grant each company a voluntary cancellation of its pay telephone certificate. The Commission should cancel the companies listed on page 4 on its own motion, effective on the date of issuance of the Consummating Order. (Isler)

STAFF ANALYSIS: Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees by January 30, or the next business day, 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 1999 regulatory assessment fees, along with statutory penalty and interest charges. Therefore, the companies failed to comply with Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies.

After the Division of Administration mailed delinquent notices, each company listed on page 4 wrote the Commission and advised that they were no longer in business and would not pay any further fees. In addition, the companies requested cancellation of their certificates.

Accordingly, staff believes the Commission should not grant each company a voluntary cancellation of its pay telephone certificate. The Commission should cancel the companies listed on page 4 on its own motion, effective on the date of issuance of the Consummating Order.

DOCKET NOS. 00034J-TC, 000456-TC
DATE: JUNE 8, 2000

ISSUE 2: Should these dockets be closed?

RECOMMENDATION: Yes, if the Commission approves or modifies staff's recommendation on Issue 1, these dockets should be closed upon receipt of the fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. If the Commission denies staff's recommendation on Issue 1, these dockets should be closed administratively. A protest in one docket should not prevent the action in a separate docket from becoming final.
(Banks)

STAFF ANALYSIS: Whether staff's recommendation on Issue 1 is approved or modified, the result will be a proposed agency action order and these dockets should be closed upon receipt of the fees or cancellation of the certificate unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action. If the Commission denies staff's recommendation on Issue 1, these dockets should be closed administratively. A protest in one docket should not prevent the action in a separate docket from becoming final.

DOCKET NOS. 000345-TC, 000456-TC
DATE: JUNE 8, 2000

<u>DOCKET NO.</u>	<u>PROVIDER</u> <u>LAST REPORTED REVENUES & PERIOD COVERED</u>	<u>CERT.</u> <u>NO.</u>	<u>RAFs</u>	<u>P and I</u>
000340-TC	Public Payphone Company \$0 Revenues for Period Ended 12/31/98	4145	1999 2000	1998 1999
000456-TC	New World Telecommunications \$0 Revenues for Period Ended 12/31/98	4557	1999 2000	1999