

RAR (2)

ORIGINAL

STATE OF FLORIDA

Commissioners:
J. TERRY DEASON, CHAIRMAN
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ



DIVISION OF COMPETITIVE SERVICES
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

October 18, 2000

Mr. Franklin O. Erazo, President
Erazo Telcomm Inc.
19265 NW 52nd Place
Miami, FL 33055

Re: Docket No. 000996-TC

Dear Mr. Erazo:

This is in response to your letter dated October 4, 2000, concerning the above docket. The regulatory assessment fee (RAF) is due each year by January 30 for the previous year, unless the 30th falls on a weekend, then the due date is the next working day. For example, the 1999 fee was due January 31, 2000. If payment is made after the due date, then statutory penalty and interest charges apply.

A pay telephone certificate remains active until the company requests cancellation and has paid all past due charges in full or the Commission cancels the certificate on its own motion for a rule violation. A copy of the rule is enclosed. In addition, the regulatory assessment fee is due for the current year if the certificate is active for any day during a calendar year. In this case, our records show that your October 4 letter is the only letter the Commission has received. Even though you may have sold your business in July 1999, since the Commission was not notified at that time, this means that the 2000 fee is also due.

In order for staff to recommend a voluntary cancellation, you must pay the statutory penalty and interest charges for the 1999 RAF in the amount of \$17.00 (\$12.50 penalty and \$4.50 interest) and either pay the 2000 fee (\$50.00) or provide a date certain that you will pay the 2000 fee, such as 30 days from the date of the Commission Order cancelling your certificate. In addition, since your October 4 letter did not specifically request cancellation of your certificate, you must write a letter requesting cancellation and reference the docket number.

Another recommendation will be filed in this docket for the Commissioners to vote whether or not a voluntary cancellation should be granted. If a voluntary cancellation is not granted, your certificate will be cancelled on the Commission's own motion. All outstanding RAFs, including penalty and interest charges, will be turned over to the Comptroller's Office for

- APP _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- LEG _____
- OPC _____
- PAI _____
- RGO _____
- SEC 1
- SER _____
- OTH _____

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FPSC-RECORDS/REPORTING

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collection. In addition, Rule 25-24.511(5), F.A.C., states that "Only one certificate per applicant will be granted. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled." This means that you could not reapply for a new certificate at a later date.

Please let me know what your decision is by November 3, 2000. If you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, and by internet e-mail at pisler@psc.state.fl.us.

Sincerely,



Paula J. Isler, Research Assistant
Bureau of Service Quality & Compliance

Enclosure

cc: Docket No. 000996-TC
Division of Legal Services (Elliott)

25-24.514 Cancellation of a Certificate.

- (1) The Commission may cancel a company's certificate for any of the following reasons:
 - (a) Violation of the terms and conditions under which the authority was originally granted;
 - (b) Violation of Commission rules or orders;
 - (c) Violation of Florida Statutes; or,
 - (d) Failure to provide service for a period of six (6) months.

- (2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request.
 - (a) Statement of intent and date to pay Regulatory Assessment Fee.
 - (b) Statement of why the certificate is proposed to be cancelled.

- (3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 350.127(1), 364.03, 364.285, 364.337, 364.345 FS.

History--New 1-5-87.