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-

DATE: DECEMBER 20, 2000

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

FROM: DIVISION OF COMPETITIVE SERVICES (ISLER) PJI
DIVISION OF LEGAL SERVICES (K. PEÑA; ELLIOTT) KMP JAE 2-58

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. 001471-TX - SOUTHEASTERN SERVICES, INC.
DOCKET NO. 001475-TX - INTERCEPT COMMUNICATIONS TECHNOLOGIES, INC.
DOCKET NO. 001478-TX - ESSEX COMMUNICATIONS, INC. D/B/A ELEC COMMUNICATIONS
DOCKET NO. 001483-TX - CPU SOLUTIONS HOLDING CORP.
DOCKET NO. 001486-TX - WAMNET COMMUNICATIONS INC.
DOCKET NO. 001498-TX - NEW EDGE NETWORK, INC. D/B/A NEW EDGE NETWORKS

AGENDA: 01/02/01 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\001471.RCM

CASE BACKGROUND

On December 8, 1999, the certificated companies listed on page 4 were mailed the 1999 Regulatory Assessment Fee (RAF) Notice and payment was due by January 31, 2000. On February 29, 2000, the Division of Administration mailed a delinquent notice for the 1999 RAF.

After the dockets were opened, but prior to staff filing its recommendations, the companies listed on page 4 paid the past due amounts in full and proposed settlements to resolve these dockets.

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336 and 364.285, Florida Statutes. Accordingly, staff believes the following recommendations are appropriate.

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 each company's respective 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 respective certificate should be canceled administratively. (Isler)

STAFF ANALYSIS: Prior to staff filing recommendations, the companies listed on page 4 contacted the Commission and requested information on how to resolve the dockets. The companies subsequently paid the past due amounts in full, including statutory penalty and interest charges, and proposed settlements. Each company listed on page 4 offered to pay a $100 contribution and proposed to pay future RAFs on a timely basis. These settlement amounts are consistent with amounts accepted for recent, similar violations.

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 respective certificate should be canceled administratively.

ISSUE 2: Should these dockets be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation on 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; Elliott)

STAFF ANALYSIS: If the Commission approves staff's recommendation on 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.

DOCKET NOS. 001471-TX, 001475-TX, 001478-TX, 001483-TX, 001486-TX, 001498-TX
DATE: DECEMBER 20, 2000

DOCKET NO.	PROVIDER LAST REPORTED REVENUES & PERIOD COVERED	CERT. NO.	RAFs	P and I
001471-TX	Southeastern Services, Inc. $0 Revenues for Period Ended 12/31/99	7018	1999	1999
001475-TX	InterCept Communications $0 Revenues for Period Ended 12/31/99	7062	1999	1999
001478-TX	eLEC Communications $0 Revenues for Period Ended 12/31/99	7103	1999	1999
001483-TX	CPU Solutions Holding Corp. $0 Revenues for Period Ended 12/31/99	7249	1999	1999
001486-TX	WAMnet Communications Inc. $0 Revenues for Period Ended 12/31/99	7162	1999	1999
001498-TX	New Edge Networks $0 Revenues for Period Ended 12/31/99	7281	1999	1999