



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-

RECEIVED-FPSC
DEC 20 AM 11:17
RECORDS AND REPORTING

DATE: DECEMBER 20, 2000

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

FROM: DIVISION OF COMPETITIVE SERVICES (ISLER) *DM* *AD*
 DIVISION OF LEGAL SERVICES (ISAAC WALKER; CIBULA;
 ELLIOTT) *JAE* *C.F.P.* *RNS* *KW* *SMC.*

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. 001400-TX - MEDIAONE FLORIDA TELECOMMUNICATIONS, INC.
- DOCKET NO. 001401-TX - TELECO COMMUNICATIONS, LTD.
- DOCKET NO. 001403-TX - TRAVELERS TELECOM CORP.
- DOCKET NO. 001415-TX - FLATEL, INC. D/B/A FLORIDA TELEPHONE COMPANY
- DOCKET NO. 001416-TX - BURNO INC. D/B/A INTEGRA PAGING
- DOCKET NO. 001420-TX - BUY-TEL COMMUNICATIONS, INC.
- DOCKET NO. 001454-TX - RHYTHMS LINKS INC.

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

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\001400.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.

DOCUMENT NUMBER-DATE

16253 DEC 20 8
16253-00
FPSC-RECORDS/REPORTING

DOCKET NOS. 001400-TX, 001401-TX, 001403-TX, 001415-TX, 001416-TX,
001420-TX, 001454-TX
DATE: DECEMBER 20, 2000

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

DOCKET NOS. 001400-TX, 001401-TX, 001403-TX, 001415-TX, 001416-TX, 001420-TX, 001454-TX
DATE: DECEMBER 20, 2000

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. (Isaac; Walker; Cibula; 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. 001400-TX, 001401-TX, 001403-TX, 001415-TX, 001416-TX,
 001420-TX, 001454-TX
 DATE: DECEMBER 20, 2000

<u>DOCKET NO.</u>	<u>PROVIDER LAST REPORTED REVENUES & PERIOD COVERED</u>	<u>CERT. NO.</u>	<u>RAFs</u>	<u>P and I</u>
001400-TX	MediaOne Florida Telecommunications, Inc. \$5,480,750 Revenues for Period Ended 12/31/99	4404	1999	1999
001401-TX	Teleco Communications, Ltd. \$0 Revenues for Period Ended 12/31/99	4426	1999	1999
001403-TX	Travelers Telecom Corp. \$0 Revenues for Period Ended 12/31/99	4853	1999	1999
001415-TX	Florida Telephone Company \$63,741 Revenues for Period Ended 12/31/99	5315	1999	1998 1999
001416-TX	Integra Paging \$68,163.25 Revenues for Period Ended 12/31/99	5334	1999	1998 1999
001420-TX	Buy-Tel Communications, Inc. \$0 Revenues for Period Ended 12/31/99	5675	1999	1999
001454-TX	Rhythms Links Inc. \$0 Revenues for Period Ended 12/31/99	5707	1999	1999