

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:** JANUARY 4, 2001

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

**FROM:** DIVISION OF COMPETITIVE SERVICES (ISLER) *MS*  
DIVISION OF LEGAL SERVICES (K. PEÑA; ELLIOTT) *JAE kmf J*

**RE:** DOCKET NO. 001209-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 2994 ISSUED TO NETWORK PLUS, INC. D/B/A HALE AND FATHER, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

DOCKET NO. 001242-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 3537 ISSUED TO TELCO BILLING, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

DOCKET NO. 001283-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 5272 ISSUED TO EXECUTIVE BUSINESS CENTERS, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

**AGENDA:** 01/16/01 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMP\WP\001209.RCM

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### CASE BACKGROUND

On December 8, 1999, the certificated companies listed on page 4 were mailed the 1999 Regulatory Assessment Fee (RAF) Notice and

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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. In addition, each company listed on page 4 included a waiver of objection to the administrative cancellation of their respective certificates in the event the settlement proposals are accepted and the companies

ultimately fail to comply with the terms of their offers. 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. 001209-TI, 001242-TI, 001283-TI  
DATE: JANUARY 4, 2001

<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>
001209-TI	Hale and Father, Inc. \$2,290,820 Revenues for Period Ended 12/31/99	2994	1999	1994 1995 1996 1999
001242-TI	Telco Billing, Inc. \$0 Revenues for Period Ended 12/31/99	3537	1999	1999
001283-TI	Executive Business Centers, Inc. \$9,454.57 Revenues for Period Ended 12/31/99	5272	1999	1999