

NOWALSKY, BRONSTON & GOTHARD

A Professional Limited Liability Company  
Attorneys at Law

Leon L. Nowalsky  
Benjamin W. Bronston  
Edward P. Gothard

3500 North Causeway Boulevard  
Suite 1442  
Metairie, Louisiana 70002  
Telephone: (504) 832-1984  
Facsimile: (504) 831-0892

Monica Borne Haab  
EllenAnn G. Sands  
Bruce C. Betzer

January 16, 2001

Via Overnight Delivery

Ms. Blanco Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RE: Comtel Network, LLC  
Docket No. 001357-TI

Dear Director Bayo:

In response to the Commissions correspondence of December 15, 2000, regarding Comtel Network, LLC's failure to file its 1999 Regulatory Assessment Fee (RAF), I have enclosed herein for filing the original and six (6) copies of the Petition of Comtel to settle the issue of its past due filing of its RAF.

An additional copy of the Petition has been enclosed to be date stamped and returned in the enclosed stamped self-addressed envelope.

Sincerely,



Leon L. Nowalsky

LLN/sw  
Enclosure  
cc: Pat Martin

DOCUMENT NUMBER-DATE

00703 JAN 17 2001

FPSC-RECORDS/REPORTING

BEFORE THE  
FLORIDA PUBLIC SERVICE  
COMMISSION

Petition of Comtel Network, LLC            )  
for Settlement of Penalty Associated        )  
with the Past Due Filing of it's            )  
Regulatory Assessment Fee                 )

Docket No. 001357-TI

PETITION

COMES NOW, Comtel Network, LLC ("Comtel"), through undersigned counsel, and in support of its Petition for Settlement of Penalties Associated with Past Due Filings of Regulatory Assessment Fees does state as follows:

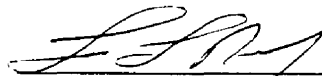
1. On or about December 15, 2000, Comtel received notice from the Florida Public Service Commission ("Commission") that its Regulatory Assessment Fee ("RAF") for 1999 was delinquent.
2. Comtel had previously received notices regarding the RAF in the past but due to the rapid growth being experienced by Comtel, Comtel did not timely respond and file its RAF.
3. The company is taking steps to prevent this situation from occurring in the future by interviewing various third party compliance companies whose sole business is making certain that all regulatory filings, including the RAF, are timely filed.
4. Comtel has filed and paid its RAF and associated penalties for 1999 (see Attachment A).
5. Comtel has filed for an extension of time in which to file its 2000 RAF until March 1, 2001, so that a sufficient amount of time will be available in which to hire a

third-party compliance company (see Attachment B).

6. Comtel offers \$150.00 or approximately two times the 1999 RAF as settlement of this proceeding.

NOW THEREFORE, in consideration of the foregoing, Comtel requests that the Commission accept its settlement offer and that the docket opened by the Commission to address this matter be closed.

Respectfully submitted,



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Leon L. Nowalsky  
Nowalsky, Bronston & Gothard, APLLC  
3500 North Causeway Blvd.  
Suite 1442  
Metairie, Louisiana 70002  
(504) 832-1984 phone  
(504) 831-0892 fax

# Exhibit A

NOWALSKY, BRONSTON & GOTHARD

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Monica Borne Haab  
EllenAnn G. Sands  
Bruce C. Betzer

December 18, 2000

*Via overnight delivery*

Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
Attn: Fiscal Services

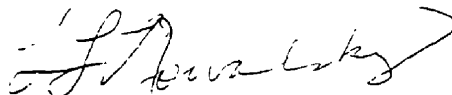
RE: Comtel Network LLC - TJ281  
Regulatory Assessments Fee Return

Dear Sir:

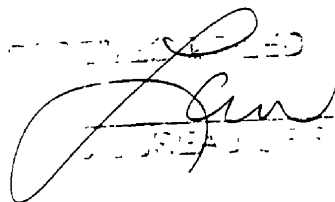
Enclosed herein please find the 1999 Regulatory Assessment Fee Return which is being submitted herein for filing on behalf of Comtel Network LLC. Additionally, a check in the amount of \$68.00 has been enclosed in payment of the fee and the interest and penalties associated therewith.

An additional copy of the return has been enclosed to be date-stamped and returned in the enclosed stamped self-addressed envelope as evidence of this filing.

Sincerely,

  
Leon L. Nowalsky

LLN/cr  
Enclosure  
cc: Pat Martin

  
RECEIVED  
DEC 19 2000

16162-00  
12-19-00

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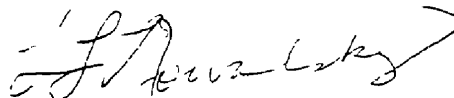
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Sincerely,



Leon L. Nowalsky

LLN/cr  
Enclosure  
cc: Pat Martin

# Interexchange Company Regulatory Assessment Fee Return

**STATUS:**

- Actual Return
- Estimated Return
- Amended Return

**PERIOD COVERED:**

10/15/99 TO 12/31/99

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

TJ281  
 Comtel Network LLC  
 670 E. Bullard Avenue, Suite 103  
 Fresno, CA 93710-5433

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

Check# \_\_\_\_\_

\$ \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 003001  
 \$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 004011  
 \$ \_\_\_\_\_ I

Postmark Date \_\_\_\_\_  
 Initials of Preparer \_\_\_\_\_

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA	
		GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Long Distance Services	\$ 25,000	\$ 10,000
2.	Access Services	-	-
3.	Private Line Services	-	-
4.	Leased Facilities & Circuits Services	-	-
5.	Miscellaneous Services	-	-
6.	<b>TOTAL Telephone Services</b>	<b>\$ 25,000</b>	<b>\$ 10,000</b>
7.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	( - )	( - )
8.	<b>TOTAL REVENUES For Regulatory Assessment Fee Calculation</b>	<b>1</b>	<b>25,000</b>
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)		50.00
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	12.50	
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	5.50	
12.	<b>TOTAL AMOUNT DUE</b>		<b>\$ 68.00</b>

\* These amounts must be intrastate only and must be verifiable.

**AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50**

**CURRENT COMPANY STATUS**

- Facilities-Based Carrier
- Reseller
- Alternate-Operator Service
- Rebiller
- Call Aggregator
- Other: \_\_\_\_\_

**BILLING INFORMATION**

Complete below if billing agent if other than yourself.

(Name) \_\_\_\_\_ (Address: City/State/Zip) \_\_\_\_\_ (Telephone) \_\_\_\_\_

What is the total amount of customer deposits collected? Amount: \$ \_\_\_\_\_ for 15: \_\_\_\_\_

What is the total amount of bond held (if applicable)? Amount: \$ \_\_\_\_\_ Expires: \_\_\_\_\_

**COMPANY INFORMATION**

Do you lease telecommunications' facilities?  YES  NO

If YES, who do you lease these facilities from? Name: \_\_\_\_\_

Address: \_\_\_\_\_

I, the undersigned owner/office: of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her duty shall be guilty of a misdemeanor of the second degree.

Pat Martin (Signature of Company Official) President (Title) 12/18/00 (Date)

LEON L. NOWALSKY (Preparer of Form - Please Print Name)

Telephone Number (559) 261-0125 Fax Number (559) 261-2830

F.B.I. No. 77-0492271

# Exhibit B



FLORIDA PUBLIC SERVICE COMMISSION  
COMMUNICATIONS / ELECTRIC / GAS UTILITY  
REGULATORY ASSESSMENT FEE EXTENSION REQUEST

COMTEL NETWORK LLC  
(Utility)

7159  
~~78251~~ 77-0492271  
(Utility Code) (FEID No.)

Mailing Address: 670 E. BULLARD AVE., STE-103  
FRESNO, CA. 93710

This is to request an extension for filing the Regulatory Assessment Fee Return for the above-named utility for the period indicated below:

PERIOD JANUARY 1 - DECEMBER 31, 2000

15 days to February 14  
 30 days to March 1

REASON FOR REQUEST: ATTEMPTING TO OUTSOURCE COMPLIANCE FUNCTIONS TO A  
THIRD PARTY VENDOR

[Signature]  
(Signature)

1/16/01  
(Date)

COUNSEL FOR COMTEL  
(Title)

(504) 832-1984  
(Telephone Number)

(504) 831-0892  
(FAX Number)

NOTE TO UTILITY

- Your Regulatory Extension Fee Request form must be filed and received by the Florida Public Service Commission at the address referenced below AT LEAST TWO WEEKS before the payment due date of January 30, 2001. Once your request is received, you will be notified by phone and a letter will be mailed or faxed indicating that your request was approved or denied. THIS IS NOT AN AUTOMATIC EXTENSION, THEREFORE YOU MUST RECEIVE APPROVAL FROM THE COMMISSION IN ORDER TO RECEIVE AN EXTENSION.
- If an extension of 15 days or less is approved, 0.75% of the fee is to be included when making payment.
- If an extension of 16 to 30 days is approved, 1.5% of the fee is to be included when making payment.

FOR PUBLIC SERVICE COMMISSION USE ONLY

Request Approved

Request Denied

The 199\_\_ Regulatory Assessment Fee has not been received.

The 199\_\_ Regulatory Assessment Fee was delinquent. Prior penalty and/or interest has not been received for your 199\_\_ Regulatory Assessment Fee.

The request was received too late for processing.

Other: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_  
(Chief, Bureau of Fiscal Services) (Date)

IF YOU HAVE QUESTIONS, PLEASE CONTACT JACKIE KNIGHT AT (850) 413-6267, FAX (850) 413-6268, OR WRITE TO:  
DIVISION OF ADMINISTRATION, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399.