

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of  
Interexchange Telecommunications  
Certificate No. 7164 issued to  
Miracle Communications, Inc. for  
violation of Rule 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees; Telecommunications  
Companies.

DOCKET NO. 001358-TI  
ORDER NO. PSC-01-0152-AS-TI  
ISSUED: January 19, 2001

The following Commissioners participated in the disposition of  
this matter:

E. LEON JACOBS, JR., Chairman  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Miracle Communications, Inc. (Miracle) obtained Certificate  
No. 7164 on October 15, 1999, to provide Interexchange  
Telecommunications service. Miracle had not paid the 1999  
Regulatory Assessment Fees (RAFs). Also, accrued statutory  
penalties and interest charges for late RAFs payments for the year  
1999 had not been paid. RAFs are required by Section 364.336,  
Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.  
All entities that apply for certification receive a copy of our  
rules governing Interexchange Telecommunications service.

Pursuant to Section 364.336, Florida Statutes, certificate  
holders must pay a minimum annual RAF of \$50 if the certificate was  
active during any portion of the calendar year. The RAFs form was  
mailed to Miracle for the period of January 1 through December 31.  
Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the

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ORDER NO. PSC-01-0152-AS-TI  
DOCKET NO. 001358-TI  
PAGE 2

form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. Miracle was scheduled to remit its RAFs by January 31, 2000. As of September 14, 2000, Miracle had not paid the required fees.

After this docket was opened, on November 9, 2000, Peter Schwartz, representative of Miracle, called our staff and advised that the past due amount would be paid, and Miracle would propose a settlement offer. On November 30, 2000, we received the 1999 RAFs, including accrued statutory penalties and interest charges, and a settlement proposal. Miracle offered to contribute \$200 to the State General Revenue Fund, and proposed to pay future RAFs on a timely basis.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. Miracle must comply with these requirements within ten business days from the date this Order becomes final. The contribution should be identified with the docket number and the company name. Upon timely receipt, the contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the \$200 contribution or cancellation of the certificate, this docket shall be closed. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336 and 364.285, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Miracle Communications, Inc.'s settlement proposal set forth in the body of this Order is hereby approved. It is further

ORDERED that this docket shall remain open pending receipt of the \$200 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that if Miracle Communications, Inc. fails to comply with this Order, its certificate will be canceled administratively. It is further

ORDER NO. PSC-01-0152-AS-TI  
DOCKET NO. 001358-TI  
PAGE 3

ORDERED that upon receipt of the \$200 contribution or cancellation of the certificate this docket shall be closed.

By ORDER of the Florida Public Service Commission this 19th day of January, 2001.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

FRB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of

ORDER NO. PSC-01-0152-AS-TI  
DOCKET NO. 001358-TI  
PAGE 4

Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.