

001358

Settlement

2049 CENTURY PARK EAST  
SUITE 2790  
LOS ANGELES, CALIFORNIA 90067

LAW OFFICES OF  
**PETER A. SCHWARTZ**

TELEPHONE (310) 277-2535  
FACSIMILE (310) 277-5809  
E-MAIL PASLAWOFF@AOL.COM

P. Isler  
R&K

VIA CERTIFIED MAIL  
7099 3220 0000 2416 2926

January 19, 2001

Ms. Blanca Bayo, Director  
Division of Records and Reporting  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

DEPOSIT                      DATE  
D0100                      JAN 25 2001

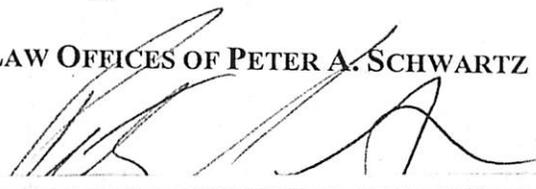
Re: Work Communication TJ273  
Docket No. 001358

Dear Ms. Bayo:

I am pleased to enclose herewith, my Check No. 3209, in the sum of \$200, for the State General Revenue Fund, in accordance with the ruling of the State of Florida Public Service Commission, dated January 19, 2001, also enclosed herewith.

Sincerely,

LAW OFFICES OF PETER A. SCHWARTZ



APP  
CAF  
CMP  
COM  
CTR  
ECR  
LEG  
OPC  
PAI  
REG  
SEC  
SER  
OTH

<b>LAW OFFICES OF PETER A. SCHWARTZ</b>		<b>WELLS FARGO BANK</b>		3209
2049 CENTURY PARK EAST, SUITE 2790 LOS ANGELES, CA 90067 310-277-2535		16-24-1220		
PAY TO THE ORDER OF Florida Public Service Commission		1/19/01		
Two Hundred and 00/100*****		\$ **200.00		
Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services		DOLLARS		
MEMO MIRACLE- Docket NO. 001358-TI		DOCUMENT NUMBER-DATE		
01103 JAN 25 2001				
0003209				

Security features included. Details on back.

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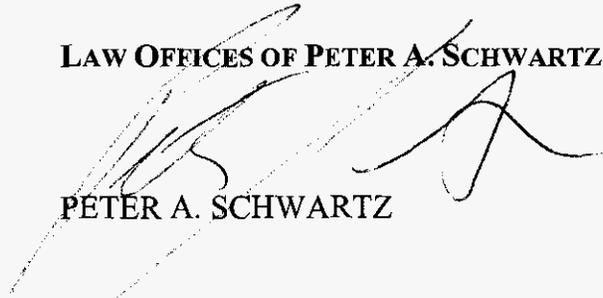
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**LAW OFFICES OF PETER A. SCHWARTZ**

**PETER A. SCHWARTZ**



PAS:cp  
Encl.

Cc: Paula J. Isler, Research Assistance  
Mr. William Wade

MAILED  
01 JAN 24 PM 4:13  
FBI - TAMPA

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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DOCKET NO. 001358-TI  
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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

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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: /s/ Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

This is a facsimile copy. A signed copy of the order may be obtained by calling 1-850-413-6770.

( 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

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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.