



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

## -M-E-M-O-R-A-N-D-U-M-

RECEIVED-PPSC  
01 FEB - 8 AM 11:00  
RECORDS AND REPORTING

**DATE:** FEBRUARY 8, 2001

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

**FROM:** DIVISION OF COMPETITIVE SERVICES (ISLER) *IS*  
DIVISION OF LEGAL SERVICES (ISAAC) *INS*

**RE:** DOCKET NO. 001280-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 2670 ISSUED TO NATIONAL OPERATOR SERVICES, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES, TELECOMMUNICATIONS COMPANIES.

**AGENDA:** 02/20/01 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMP\WP\001280.RCM

### CASE BACKGROUND

- **06/27/91** - This company obtained Certificate No. 2670.
- **12/08/99** - The 1999 Regulatory Assessment Fee (RAF) Notice was mailed. Payment was due 01/31/00.
- **02/29/00** - The Division of Administration mailed the Delinquent Notice.
- **10/26/00** - Staff wrote the company and explained that a docket had been established for nonpayment of the 1999 RAF and to contact staff for its options.

DOCUMENT NUMBER-DATE

01828 FEB-08

DIVISION OF RECORDS AND REPORTING

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- **12/14/00** - Order No. PSC-00-2395-PAA-TI was issued, which imposed a \$500 fine or cancelled the company's certificate. The company had until January 4, 2001 to respond to the Order.
- **12/29/00** - The Commission received the company's response to Order No. PSC-00-2395-PAA-TI.
- **01/03/01** - Staff wrote the company and advised that before a voluntary cancellation could be recommended, the company must either pay the past due amount, plus the 2000 RAF or provide a date certain it would be paid.
- **01/08/01** - The Commission received a letter from the company requesting voluntary cancellation of its certificate and a check for the outstanding balance, including the 2000 fee. The company reported no revenues for the period ended December 31, 2000.

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.337, Florida Statutes. Accordingly, staff believes the following recommendations are appropriate.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission grant National Operator Services, Inc. a voluntary cancellation of its Certificate No. 2670?

**RECOMMENDATION:** Yes. The Commission should grant the company a voluntary cancellation of its Certificate No. 2670 with an effective date of December 29, 2000. (Isler)

**STAFF ANALYSIS:** Rule 25-4.0161, Florida Administrative Code, which implements Section 364.336, Florida Statutes, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

After Order No. PSC-00-2395-PAA-TI was issued on December 14, 2000, the company paid the past due amount in full, including statutory penalty and interest charges, and the 2000 RAF. In addition, the company requested voluntary cancellation of its certificate as required by Rule 25-24.474, Florida Administrative Code.

Accordingly, staff believes the company's request for a voluntary cancellation of its Certificate No. 2670 should be granted with an effective date of December 29, 2000.

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**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (Isaac)

**STAFF ANALYSIS:** If the Commission approves staff's recommendation in Issue 1, no other issues remain unresolved and this docket should be closed.