

STATE OF FLORIDA

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



DIVISION OF COMPETITIVE SERVICES
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

March 22, 2001

Via Facsimile

Ms. Eva Sokolewicz
Pinnacle Telcom, Inc.
3754 Central Avenue
St. Petersburg, FL 33711-1236

Re: Docket No. 001413-TX

Dear Ms. Sokolewicz:

This is a follow up to our telephone conversation concerning the above docket. The regulatory assessment fee (RAF) is due each year by January 30 for the previous year, unless the 30th falls on a weekend, then the due date is the next working day. For example, the 1999 fee was due January 31, 2000 and the 2000 RAF was due by January 30, 2001.

Commission records show that as of this date, the 1999 and 2000 RAFs have not been paid. Both RAF returns are attached. Please complete and return them along with payment for the past due amount in full. The RAF is .0015% of the company's total Florida gross revenues, or \$50.00, whichever is greater. However, if Pinnacle owes only the minimum amount and if the company's check is postmarked by March 31, 2001, the 1999 total is \$70.00 (\$50.00 fee, \$12.50 penalty, and \$7.50 interest) and the 2000 total is \$56.00 (\$50.00 fee, \$5.00 penalty, and \$1.00 interest). The penalty and interest charges continue to accrue until paid. In addition, our records show that Pinnacle has a penalty (\$9.50) and interest (\$6.00) balance in the amount of \$15.50 from the 1997 RAF that needs to be paid. The 1997 RAF was paid March 25, 1999 (due January 30, 1998) and the company paid \$3.00 of the \$12.50 penalty and \$1.00 of the \$7.00 interest, leaving the \$15.50 balance. It should be noted that any unpaid balance will be turned over to the Comptroller's Office for further collection efforts.

On March 12, 2001, Order No. PSC-01-0557-PAA-TX was issued, which imposed \$1,000 fine. Pinnacle has until April 2, 2001 to pay the past due amount in full and either protest the Order by proposing a settlement or pay the \$1,000 fine to keep the certificate active which is what you indicated in our telephone conversation.

DOCUMENT NUMBER DATE
03704 MAR 23 2001
FPSC - RECEIVED REPORTING

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To propose a settlement, Pinnacle must file a petition for a formal proceeding in the form provided by Rule 28-106.201, F.A.C., copy attached. This petition must be filed with the Commission by April 2, 2001, which is the end of the protest period. Rule 28-106.201(2)(g) states that the petition must include "A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action." This means that you may wish to propose a settlement. If you propose a settlement, your petition must include the following elements:

- Docket number;
- A check for the past due amount in full, along with the RAF returns for 1999 and 2000;
- A statement that it has taken steps to prevent future late payments of the regulatory assessment fees and what those steps are; and
- Make a specific monetary settlement.

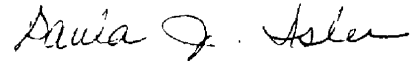
Any settlement offer should be addressed to Ms. Blanca Bayó, Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. The proposed settlement amount should not be paid at this time, instead only the past due regulatory assessment fee, plus penalty and interest charges should be paid. The settlement amount, if approved by the Commission, will become due after the Commissioners vote on this issue.

If you file a timely petition proposing a settlement, a new Agenda Conference date will be scheduled. At that time, the Commissioners will vote on whether or not to accept your settlement offer. An Order will then be issued and you will have 10 business days from the date of the Order to pay the settlement.

Please let me know what your decision is by April 2, 2001. If you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, and by internet e-mail at pisler@psc.state.fl.us.

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Sincerely,

A handwritten signature in cursive script, reading "Paula J. Isler".

Paula J. Isler, Research Assistant
Bureau of Service Evaluation & Compliance

Enclosures

cc: Docket No. 001413-TX
Division of Legal Services (K. Peña)

Alternative Local Exchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:
01/01/1999 TO 12/31/1999

Florida Public Service Commission
(See Filing Instructions on Back of Form)

TX144
Pinnacle Telcom, Inc.
3754 Central Avenue
St. Petersburg, FL 33711-1236

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY

Check# _____

\$ _____ 0603006
003001

\$ _____ P
0603006
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.	Basic Local Services	\$ _____	\$ _____
2.	Long Distance Services (IntraLATA only)**	_____	_____
3.	Access Services	_____	_____
4.	Private Line Services	_____	_____
5.	Leased Facilities & Circuits Services	_____	_____
6.	Miscellaneous Services	_____	_____
7.	TOTAL REVENUES		\$ _____
8.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)		_____
9.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		_____
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015)		_____
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		_____
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		_____
13.	TOTAL AMOUNT DUE		\$ _____

- * These amounts must be intrastate only and must be verifiable.
- ** Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.

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

CURRENT COMPANY STATUS

- () Facilities-Based Provider () Reseller
() Other: _____

BILLING INFORMATION

Complete below if billing agent if other than yourself.

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

COMPANY INFORMATION

Do you lease telecommunications' facilities? () YES () NO
If YES, who do you lease these facilities from? Name: _____
Address: _____

I, the undersigned owner/officer 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.

(Signature of Company Official) (Title) (Date)

(Preparer of Form - Please Print Name) Telephone Number () Fax Number ()

F.E.I. No. _____

Alternative Local Exchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
 Estimated Return
 Amended Return

PERIOD COVERED:
01/01/2000 TO 12/31/2000

Florida Public Service Commission

(See Filing Instructions on Back of Form)

TX144
 Pinnacle Telcom, Inc.
 3754 Central Avenue
 St. Petersburg, FL 33711-1236

FOR PSC USE ONLY

Check# _____

\$ _____ 0603006
 _____ 003001
 \$ _____ P
 _____ 0603006
 _____ 004011
 \$ _____ I

Postmark Date _____

Initials of Preparer _____

Please Complete Below If Official Mailing Address Has Changed

 (Name of Company) (Address) (City/State) (Zip)

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 (Signature of Company Official) (Title) (Date)

 (Preparer of Form - Please Print Name) Telephone Number () Fax Number ()

F.E.I. No. _____

PART II HEARINGS INVOLVING DISPUTED ISSUES OF MATERIAL FACT

28-106.201 Initiation of Proceedings.

(1) Unless otherwise provided by statute, initiation of proceedings shall be made by written petition to the agency responsible for rendering final agency action. The term "petition" includes any document that requests an evidentiary proceeding and asserts the existence of a disputed issue of material fact. Each petition shall be legible and on 8 ½ by 11 inch white paper. Unless printed, the impression shall be on one side of the paper only and lines shall be double-spaced.

(2) All petitions filed under these rules shall contain:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

(3) Upon receipt of a petition involving disputed issues of material fact, the agency shall grant or deny the petition, and if granted shall, unless otherwise provided by law, refer the matter to the Division of Administrative Hearings with a request that an administrative law judge be assigned to conduct the hearing. The request shall be accompanied by a copy of the petition and a copy of the notice of agency action.

(4) A petition shall be dismissed if it is not in substantial compliance with subsection (2) of this rule or it has been untimely filed. Dismissal of a petition shall, at least once, be without prejudice to petitioner's filing a timely amended petition curing the defect, unless it conclusively appears from the face of the petition that the defect cannot be cured.

(5) The agency shall promptly give written notice to all parties of the action taken on the petition, shall state with particularity its reasons if the petition is not granted, and shall state the deadline for filing an amended petition if applicable.