

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of  
Alternative Local Exchange  
Telecommunications Certificate  
No. 5686 issued to World  
Telecommunications, Inc. d/b/a  
WTI for violation of Rule 25-  
4.0161, F.A.C., Regulatory  
Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 001421-TX  
ORDER NO. PSC-01-0818-FOF-TX  
ISSUED: March 29, 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 GRANTING CANCELLATION OF ALTERNATIVE LOCAL EXCHANGE  
TELECOMMUNICATIONS CERTIFICATE DUE TO BANKRUPTCY

BY THE COMMISSION:

World Telecommunications, Inc. d/b/a WTI (WTI) currently holds  
Certificate of Public Convenience and Necessity No. 5686, issued by  
the Commission on September 15, 1998, authorizing the provision of  
Alternative Local Exchange Telecommunications service. The  
Division of Administration advised our staff by memorandum that WTI  
had not paid the 1999 Regulatory Assessment Fees (RAFTs). Also,  
accrued statutory penalties and interest charges for late RAFTs  
payments for the year 1999 had not been paid. WTI was scheduled to  
remit its RAFTs by January 31, 2000.

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. Pursuant to Rule

DOCUMENT NUMBER-DATE

03907 MAR 29 2001

FPSC-REG. FEE REPORTING

25-4.0161 (2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing Alternative Local Exchange Telecommunications service.

On April 7, 2000, the Commission received a notice that advised the company had filed for protection under Chapter 7 of the Federal Bankruptcy Code on May 4, 1999. Chapter 7 of Section 109 of the Federal Bankruptcy Code provides for total liquidation of the business entity. The filing of a bankruptcy petition under Chapter 7 invokes an automatic injunction known as the Automatic Stay, codified in Bankruptcy Code Section 362. Upon such filing, an interim Trustee in Bankruptcy is immediately appointed who has the duty to collect and secure the non-exempt assets of the debtor and distribute them to creditors in the manner set forth in the Bankruptcy Code. Secured creditors are given the highest priority in the distribution and, normally, receive all of the distributed assets. Regulatory fees and penalties owed by a company to the Florida Public Service Commission are not secured debts and, as a practical matter, are uncollectible in a Chapter 7 proceeding.

We are prevented by the automatic stay provision of the Bankruptcy Code from taking action against this company for its failure to pay RAFs. In a Chapter 7 proceeding, however, the company ceases to exist and, accordingly, its certificate must be reclaimed. We note that the Division of Administration will be notified that the past due RAFs should not be sent to the Comptroller's Office for collection, but that permission for the Commission to write-off the uncollectible amount should be requested.

Accordingly, we find it appropriate to cancel Alternative Local Exchange Telecommunications Certificate No. 5686, effective April 7, 2000. WTI shall return to this Commission the Order granting authority to provide Alternative Local Exchange Telecommunications services. The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.335, Florida Statutes.

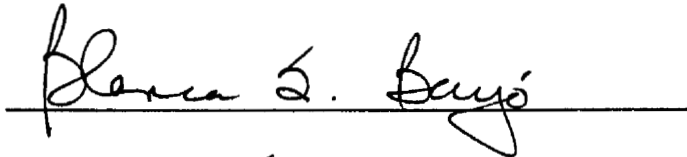
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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that World Telecommunications, Inc. d/b/a WTI's Certificate No. 5686 to provide Alternative Local Exchange Telecommunications services is hereby canceled. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission this 29th day of March, 2001.

A handwritten signature in cursive script, reading "Blanca S. Bayó", is written over a horizontal line.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

KMP

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.