

Settlement

CK 7238

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

#100.00

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Washington, D.C. 20004

4/4/01
MC

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April 4, 2001

VIA FEDEX

Ms. Blanca S. Bayo
Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399

DEPOSIT

DATE

D053

APR 06 2001

Re: Docket No. 001225-TI; Order No. PSC-01-0785-AS-TI

Dear Ms. Bayo:

TI 350

Through its attorneys, Easton Telecom Services, Inc. submits the attached \$100.00 contribution to the State General Revenue Fund in accordance with the Order Approving Settlement, Order No. PSC-01-0785 in Docket No. 001225-TI. It is our understanding that this contribution will be forwarded from the Public Service Commission to the Office of the Comptroller and the docket shall be closed upon receipt of this payment.

Please contact me at the above-listed number if you have any questions or there are any further steps that you need us to take in order to close this docket. We have also attached a copy of the Order for your reference. Thank you for your attention to this matter.

Sincerely,

MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.

Robert E. Stup Jr. / *[Signature]*

Robert E. Stup, Jr.

- APP _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
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- RGO _____
- SEC _____
- SER _____
- OTH _____

attachments

DCDOCS 194095 1(45RJ011.DOC)

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

Washington Boston New York Reston New Haven

04251 APR-5 01

FPSC-RECORDS/REPORTING

04 APR 06 2001

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of
Interexchange Telecommunications
Certificate No. 3989 issued to
Easton Telecom Services Inc. for
violation of Rule 25-4.0161,
F.A.C., Regulatory Assessment
Fees; Telecommunications
Companies.

DOCKET NO. 001225-TI
ORDER NO. PSC-01-0785-AS-TI
ISSUED: March 26, 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:

Easton Telecom Services Inc, (Easton) currently holds
Certificate of Public Convenience and Necessity No. 3989, issued by
the Commission on April 29, 1995, authorizing the provision of
Interexchange Telecommunications (IXC) service. The Division of
Administration advised our staff by memorandum that Easton 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.

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
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 IXC service.

DOCUMENT NUMBER-DATE

03788 MAR 26 2001

REGULATORY REPORTING

ORDER NO. PSC-01-0785-AS-TI
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Pursuant to Section 350.113(4), Florida Statutes, the RAFs forms, for the period of January 1 through December 31, are mailed to the entities at least 45 days prior to the date that payment of the fee is due. Easton was scheduled to remit its RAFs by January 31, 2000.

On December 22, 2000, we issued Order No. PSC-00-2473-PAA-TI to impose a \$500 fine. Failure to comply or respond to this Order would result in the cancellation of Easton's certificate. Easton has since paid the 1999 RAFs, including accrued statutory penalties and interest charges, offered to contribute \$100 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. Easton 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. If Easton fails to comply with this Order, its certificate will be canceled administratively. Upon remittance of the \$100 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, 364.337 and 364.285, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Easton Telecom Services 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 \$100 contribution. The contribution will be transmitted to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

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

ORDERED that upon receipt of the \$100 contribution or cancellation of the certificate this docket shall be closed.

By ORDER of the Florida Public Service Commission this 26th day of March, 2001.

→ BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

JAE

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.