

STATE OF FLORIDA

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

Public Service Commission

May 11, 2001

Mr. Mitchell Guertler, President
Vendall Communications
14681 North Beckley Square
Davie, FL 33325-3068

Re: Docket No. 010559-TC

Dear Mr. Guertler:

This is a follow up to our e-mail messages. 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 fee was due January 30, 2001.

Commission records show that as of this date, the 2000 RAF has not been paid. In your latest e-mail message, you stated that you had overnighted the past due amount. Unfortunately, just paying the past due amount will not prevent your certificate from being cancelled.

The company has four options. Information on all four options is attached. Two options deal with cancelling the certificate and two deal with keeping the certificate active.

Please let me know what your decision is by May 29, 2001. If you wish to discuss this or 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.

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler".

Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosure

cc: Docket No. 010559-TC
Division of Legal Services (K. Peña)

DOCUMENT NUMBER - DATE

05934 MAY 11 01

FPSC-RECORDS/REPORTING

CANCELLATION OF THE CERTIFICATE

- **Voluntary Cancellation** - In order to be granted a voluntary cancellation, the company must: 1) write a letter requesting cancellation of the certificate and explain why (such as no longer in the payphone business); 2) pay all past due charges in full; and 3) pay the 2001 Regulatory Assessment Fee (RAF) or provide a date certain that it will be paid (such as 30 days from the date of the Commission Order cancelling the certificate).
- **Involuntary Cancellation** - If the company does nothing to resolve this docket, the certificate will be cancelled on the Commission's own motion. All outstanding RAFs, including penalty and interest charges, will be turned over to the Comptroller's Office for collection. In addition, Rule 25-24.511(5), F.A.C., states that "Only one certificate per applicant will be granted. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled." This means that if the company chooses this option, it could not reapply for a new certificate at a later date.

TO KEEP THE CERTIFICATE ACTIVE

- Pay the past due RAF amount in full, including statutory penalty and interest charges, plus the fine imposed, after the Order is issued and the certificate will remain active. Just paying the past due amount will not prevent your certificate from being cancelled.
- Propose a settlement - All settlements must include the following elements:
 - 1) Docket number;
 - 2) A check for the past due amount in full. It should be noted that just paying the past due amount will not prevent your certificate from being cancelled;
 - 3) A statement explaining why the steps you stated had been implemented in your settlement proposal in Docket No. 001115-TC did not work;
 - 4) The steps you propose to be implemented to prevent future late payments of the regulatory assessment fee;
 - 5) A waiver of objection to the administrative cancellation of the certificate in the event your offer is accepted and you fail to comply with the terms which you have offered; and
 - 6) 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, must be paid within 10 business days after the Commission Order is issued.