

STATE OF FLORIDA

Commissioners:  
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J. TERRY DEASON  
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MICHAEL A. PALECKI



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

**Public Service Commission**

May 17, 2001

Mr. Gary Michael Capasso  
11900 179th Court North  
Jupiter, FL 33478-4739

**Re: Docket No. 010496-TC**

Dear Mr. Capasso:

The Commission received your letter on May 15, 2001 requesting cancellation of your pay telephone certificate. You advised that you had suffered a heart attack in July 2000 and believed that your wife had cancelled your certificate. In addition, you asked for leniency.

There are two kinds of cancellations. The first is voluntary, which is normally granted if the company is in good standing with the Commission and does not have a past due balance of the regulatory assessment fee (RAF), including statutory penalty and interest charges. The other is involuntary. If a company is **not** in good standing and has an outstanding balance of the RAF, the Commission normally cancels the certificate on its own motion for a rule violation. Any balance owed is forwarded to the Comptroller's Office for collection.

Unfortunately, the regulatory assessment fee is mandated by Florida Statute, therefore, we cannot waive the fee. The regulatory assessment fee is assessed if a certificate is active for any one day during a calendar year. The RAF is due by January 30 of each year, unless the 30th falls on a weekend, then the fee is due by the next working day, for the previous year. If payment for the RAF is mailed after the due date, then statutory penalty and interest charges are applicable.

According to Commission records, your company has an outstanding balance of the RAF and/or penalty and interest charges. A breakdown of the charges is attached. Depending upon when your check is postmarked, penalty and interest charges will continue to accrue. The 2000 and 2001 RAF return forms are attached.

The effective date of a voluntary cancellation is the date that the Commission received a company's request for cancellation. In this case, the Commission did not receive your request until May 15, 2001, therefore, the company will owe the 2001 RAF, even if the company is no longer in business or, in fact, never went into business. Rule 25-24.514, Florida Administrative Code, provides that a company requesting voluntary cancellation must either pay the 2001 RAF or provide

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

Mr. Gary Michael Capasso

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a date certain that it will be paid, such as within 30 days after the Commission Order is issued granting the voluntary cancellation. It should be noted that any unpaid RAF, including penalty and interest charges, will be turned over to the Comptroller's Office for further collection efforts.

Therefore, based on the above information, I cannot recommend a voluntary cancellation of your certificate unless the past due balance is paid. Please respond in writing by June 1, 2001, and let me know how you wish to proceed. In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, by internet e-mail at [pisler@psc.state.fl.us](mailto:pisler@psc.state.fl.us), or at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula J. Isler". The signature is fluid and cursive.

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

cc: Docket No. 010496-TC  
Division of Legal Services (Elliott)

Gary Michael Capasso (TG003)  
 Certificate No. 5104, Effective 03/18/97

Year	Fee	Penalty	Interest	Notes
2000	\$50.00	\$10.00	\$2.00	<p>Payment was due 01/30/01. The amount shown to the left is the minimum amount due <u>IF</u> payment is postmarked by 05/30/01.</p> <p>If payment is postmarked between May 31 and June 29, the penalty increases to \$12.50 and interest increases to \$2.50, for a total minimum amount of \$65.00 for 2000.</p>
2001	\$50.00	N/A	N/A	<p>If the company wishes to cancel its pay telephone certificate, the 2001 RAF either needs to be paid with the past due amount or provide a date certain it will be paid.</p>
Total	\$100.00	\$10.00	\$2.00	<p>Total if paid by 05/30/01: \$112.00.</p> <p>Total if paid between 05/31 and 06/29: \$115.00.</p>

# Pay Telephone Service Provider 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)

TG003  
 Gary Michael Capasso  
 11900 179th Court, N.  
 Jupiter, FL 33478-4739

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

Check# \_\_\_\_\_

\$ \_\_\_\_\_ 0603002

003001

\$ \_\_\_\_\_ P

0603002

004011

\$ \_\_\_\_\_ I

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

\_\_\_\_\_  
(Name of Company)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City/State)

\_\_\_\_\_  
(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	\$ _____
2.	Gross Intrastate Revenue	_____
3.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	( _____ )
4.	<b>TOTAL REVENUES for Regulatory Assessment Fee Calculation</b> (Line 2 less Line 3)	<b>\$ _____</b>
5.	Regulatory Assessment Fee Due — (Multiply Line 4 by 0.0015)	_____
6.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____
7.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____
8.	<b>TOTAL AMOUNT DUE</b>	<b>\$ _____</b>

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

**THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED**

9. Number of pay telephones in operation at close of period covered by this Return \_\_\_\_\_

\* These amounts must be intrastate only and must be verifiable.

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 official 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. \_\_\_\_\_

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## Florida Public Service Commission

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TG003  
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Check# \_\_\_\_\_

\$ \_\_\_\_\_ 0603002  
 \_\_\_\_\_ 003001

\$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603002  
 \_\_\_\_\_ 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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(Preparer of Form - Please Print Name) \_\_\_\_\_ Telephone Number ( \_\_\_\_\_ ) Fax Number ( \_\_\_\_\_ )

F.E.I. No. \_\_\_\_\_