

RJR



ORIGINAL

CK 59290
50.96-P
10/13-I
6/20/01
MC

June 20, 2001

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

DOCKET NO. 010717-TI
DATE JUN 19 2001

TI085

RE: Docket No. 010717-TI

Dear Ms. Bayo:

On May 10, 2001, the above-referenced docket was established by the Florida Public Service Commission (the "Commission") requesting the cancellation of interexchange telecommunications certificate No. 2999 issued to ATX Telecommunications Services ("ATX") for violation of Rule 25-4.0161, F.A.C., requiring the payment of regulatory assessment fees.

After receiving notice of the establishment of that docket, ATX conducted a review of its records. That review determined that ATX had erroneously filed its Interexchange Company Regulatory Assessment Fee Return for the period of January 1, 2000 to December 31, 2000 (the "2000 Return") with the State of Florida Department of Revenue (the "Department") instead of with the Commission. In so filing the 2000 Return, ATX issued a check payable to the Department in the amount of \$259.76 (representing a regulatory assessment fee of \$231.92, plus a late payment penalty of \$23.20 and late payment interest of \$4.64). Enclosed as Exhibit A are copies of the 2000 Return and the initial check issued by ATX's corporate parent, CoreComm, to the Department.

The Department subsequently returned ATX's 2000 Return and the remittance check via notice letter dated April 4, 2001 (a copy of which is enclosed as Exhibit B). However, such documents were not properly identified for internal routing to the necessary parties for filing with the Commission. Discovering the documents in its aforementioned records review, ATX filed the 2000 Return (as originally prepared) with the Commission and submitted a re-issued check in the amount of \$259.76 payable to the Commission by cover letter dated June 12, 2001 (copies of the cover letter and remittance are enclosed as Exhibit C).

At this time, ATX hereby additionally remits payment to the Commission in the amount of \$61.09. This sum represents certain additional penalties and interest attributable to the period of time between ATX's erroneous filing with the Department and its actual filing of the 2000 Return with the Commission. Additionally, the sum represents payment of other penalties and interest attributable to prior year late filings of Regulatory Assessment Fee Returns which are also the subject of the above-referenced docket. Specifically, this additional check represents payment in full of all statutory penalties and interest owed by ATX, as follows:

- APP _____
- CAF _____
- OMP _____
- COM _____
- CTR _____
- ECR _____
- LEG I
- OPC _____
- PAI _____
- RGO _____
- SEC I
- SER _____
- OTH _____

		<u>Penalty</u>	<u>Interest</u>	<u>Return Period Ending</u>
a.	\$5.00	\$1.00	12/31/1993	
b.	\$5.00	\$1.00	06/30/1994	
c.	\$6.16	\$1.17	06/30/1995 and 12/31/1995	
d.	\$34.80	\$6.96	12/31/2000	

DOCUMENT NUMBER-DATE
07743 JUN 21 5
FPSC-RECORDS/REPORTING

June 20, 2001
Ms. Blanca Bayo, Director
Page Two

According to correspondence from and a conversation with Commission staff, in addition to paying the statutory penalties and interest in full, ATX must make a monetary offer to settle the above-referenced docket. Accordingly, ATX offers settlement in the amount of \$100.00, which is the minimal amount that ATX was advised would be acceptable. Given the extenuating circumstances regarding the 2000 Return and the fact that this settlement offer is almost one-third of the total amount of the assessment fees, penalties and interest owed for the various return periods (\$320.85), ATX believes that this settlement amount is a reasonable one.

ATX hereby waives objection to the administrative cancellation of ATX's certificate in the event that ATX's settlement offer is accepted by the Commission, but ATX fails to comply with the terms of the offer. If, however, there is a factual dispute as to the manner or level of compliance with any provision in the settlement offer, ATX understands that the matter will be brought to the Commission by Commission staff for consideration.

ATX regrets any inconvenience caused by its failure to pay its regulatory fees in a timely manner, and has taken steps to ensure the timely filing of future returns and fee payments. Specifically, ATX has now internalized the regulatory reporting function that was previously outsourced to a vendor. As part of this internalization, an electronic calendar system will track future regulatory reporting dates on a national basis, and provide reminder notices in advance of due dates to allow for the timely gathering of information needed to process such reports and remit payment. Further, ATX is currently reorganizing and consolidating certain internal functions, which should promote more efficient interdepartmental communication and processes, thereby avoiding mishaps such as the erroneous filing of the 2000 Return and misdirection of the same upon its return receipt from the Department.

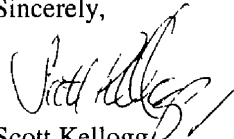
Finally, please note, any future correspondence in this matter may be directed to my attention at the following address:

ATX c/o CoreComm
225 West Ohio, Suite 200
Chicago, Illinois 60610

Enclosed is a duplicate of this letter and its attachments. Please stamp the duplicate "received" and return it to my attention using the self-addressed stamped envelope also provided herein.

If you have any questions regarding this matter, please do not hesitate to contact me at 312/445-1162.

Sincerely,



Scott Kellogg
Regulatory Affairs

Enclosures

EXHIBIT A:

**ATX's Interexchange Company Regulatory Assessment Fee Return
for the period of January 1, 2000 to December 31, 2000,
and check payable to the State of Florida Department of Revenue.**

Interexchange 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)

TI085
 ATX Telecommunications Services
 225 West Ohio, Suite 200
 Chicago, IL 60610

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY

Check# _____
 \$ _____ 0603001
 003001
 \$ _____ P
 0603001
 004011
 \$ _____ I
 Postmark Date _____
 Initials of Preparer _____

(Name of Company)

(Address)

(City/State)

(Zip)

FLORIDA

LINE NO.	ACCOUNT CLASSIFICATION	GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Long Distance Services	\$ 0	\$ 154,611
2.	Access Services	0	0
3.	Private Line Services	0	0
4.	Leased Facilities & Circuits Services	0	
5.	Miscellaneous Services	0	
6.	TOTAL Telephone Services	\$ 0	\$ 154,611
7.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	(0)	(0.00)
8.	TOTAL REVENUES For Regulatory Assessment Fee Calculation		154,611
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)		231.92
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		23.20
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		4.64
12.	TOTAL AMOUNT DUE		\$ 259.76

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

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

CURRENT COMPANY STATUS

- () Facilities-Based Carrier () Reseller () Call Aggregator
 () Alternate-Operator Service () Rebiller () Other: _____

BILLING INFORMATION

Complete below if billing agent if other than yourself.

(Name) _____ (Address: City/State/Zip) _____ (Telephone) _____
 What is the total amount of customer deposits collected?
 Amount: \$ 0 for 2000
 What is the total amount of bond held (if applicable)?
 Amount: \$ _____ Expires: _____

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) TAX MANAGER 3-27-01
 (Title) (Date)

Scott Kellogg
 (Preparer of Form - Please Print Name)

Telephone Number (312) 445-1153 Fax Number (312) 445-1232
 F.E.I. No. 23-3032245

5590

FIRST STAR BANK, N.A.
13-1420

CHECK NO.

CoreComm

5910 LANDERBROOK
MAYFIELD HEIGHTS, OHIO 44124

VOID AFTER 45 DAYS

PAY Two Hundred Fifty Nine Dollars And 76 Cents *****

DATE	AMOUNT
27-MAR-01	*****259.76

TO THE
ORDER
OF

STATE OF FLORIDA
DEPARTMENT OF REVENUE
5050 WEST TENNESSEE STREET
TALLAHASSEE, FL 32399-0150
AMERICA

James A. ...
488940263

⑈055907⑈ ⑆042000013⑆

CoreComm

5590

DATE	INVOICE NO	COMMENT	DISCOUNT	NET AMOUNT
27-MAR-01	200103	ATX FLORIDA REGULATOR	0.00	259.

VENDOR #: 33298
CHECK:55907 27-MAR-01 STATE OF FLORIDA

PG TOTAL: 259

EXHIBIT B:

State of Florida Department of Revenue April 4, 2001 Notice Letter



STATE OF FLORIDA
DEPARTMENT OF REVENUE

TALLAHASSEE, FLORIDA 32399-0100

General Tax Administration
Child Support Enforcement
Property Tax Administration
Administrative Services
Information Services

Jim Zingale
Executive Director

APRIL 04, 2001

CORECOM
5910 LANDERBROOK

CK#55907
AMT:\$259.76
SCREENER:0075

MAYFIELD HEIGHTS, OHIO 44124

We are returning remittance (s) listed above for the following reasons, as indicated by an X.

Check (s) sent to the Florida Department of Revenue in error.

XX Unable to identify- if this remittance is for taxes administered by the Florida Department of Revenue, please enclose appropriate tax return with your tax identification number and return to the address indicated below.

If this is in payment of Federal taxes, please send to the Internal Revenue Service Center, Atlanta, Georgia 39901.

Your check or money order is not payable to the Florida Department of Revenue and/or is incomplete. Actual payment of taxes cannot be accounted for until this Department receives a correctly completed valid check or money order.

We are returning the attached documentation relating to vehicle title, registration and/or vehicle license tag. The Florida Department of Highway Safety and Motor Vehicles or the local tax collector/tag agency should be contacted. You may contact the Florida Department of Highway Safety, Title & Registration at (850) 488-3881.

Postal Damage- Your remittance has been damaged by the postal process. We are returning your damaged property.

Other:

Please include this correspondence and any postmarked envelope(s) along with your response to:

**Florida Department of Revenue
Return & Revenue Processing
5050 W. Tennessee Street , Bldg k
Tallahassee, Florida 32399-0100**

EXHIBIT C:

June 12, 2001 Cover Letter and Remittance



Advanced Communications Solutions

June 12, 2001

Florida Public Service Commission
ATTN: Fiscal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

RE: Docket No. 010717-TI

To Whom It May Concern:

Enclosed is the Interexchange Company Regulatory Assessment Fee Return of ATX Telecommunications Services for the period of January 1, 2000 to December 31, 2000 (the "Return").

Please be advised, on March 28, 2001, ATX erroneously issued a check in the amount of \$259.76 payable to the Florida Department of Revenue (the "Department") and sent that check with the Return to the Department, instead of the Florida Public Service Commission (the "Commission"). At this time, ATX hereby submits the Return (which has since been returned by the Department to ATX) and a re-issued check for the amount originally calculated on the Return to the Commission.

ATX is aware that the Commission initiated the above-referenced docket in part due to ATX's failure to properly file the Return in a timely manner, and that additional penalties and interest are owed for the same. Therefore, ATX is immediately filing the Return and the re-issued check. Then, under separate cover, ATX will propose a settlement to the Commission in this docket and remit payment of additional penalties and interest due for the Return, as well as prior years' assessment fee returns that are also the subject of the above-referenced docket.

If you have any questions regarding this matter, please do not hesitate to contact me in the interim at 312/445-1162.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kellogg". The signature is written in a cursive, flowing style.

Scott Kellogg
Regulatory Attorney

Enclosure

CoreComm

5910 LANDERBROOK
MAYFIELD HEIGHTS, OHIO 44124

FIRSTAR BANK, N.A.
137420

CHECK NO

5875

VOID AFTER 45 DAYS

PAY Two Hundred Fifty-Nine Dollars And 76 Cents*****

DATE 23-MAY-01 AMOUNT *****259.76

TO THE ORDER OF

FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BLVD
TALLAHASSEE, FL 32399-0850

⑈058756⑈ ⑆042000013⑆ 488940263⑈

CoreComm

5875

DATE	INVOICE NO	COMMENT	DISCOUNT	NET AMOUNT
27-MAR-01	200103ATX	ATX FLORIDA REGULATOR	0.00	259.

VENDOR #: 12793

CHECK: 58756 23-MAY-01 FLORIDA PUBLIC SERVICE COMMISSION PG TOTAL: 25