

State of Florida



**Public Service Commission**  
CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** AUGUST 2, 2001

**TO:** DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)

**FROM:** DIVISION OF COMPETITIVE SERVICES (ISLER) *Pji*  
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *MP*

**RE:** DOCKET NO. 010612-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 7360 ISSUED TO SALAUDDIN CHAUDURY FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

**AGENDA:** 08/14/01 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMP\WP\010612.RCM

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**CASE BACKGROUND**

- **03/17/00** - Salauddin Chawdury obtained Florida Public Service Commission Certificate No. 7360.
- **12/12/00** - The Division of the Commission Clerk & Administrative Services mailed the 2000 RAF return notice. Payment was due by January 30, 2001.
- **02/21/01** - The Division of the Commission Clerk & Administrative Services mailed a delinquent notice for nonpayment of the 2000 RAF.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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- **05/14/01** - Staff wrote the company a letter and explained that a docket had been established and to contact staff if it was interested in resolving the docket.
- **06/20/01** - The Commission received the first page of staff's May 14 letter, along with a copy of Mr. Chawdury's death certificate.

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.3375, Florida Statutes. Accordingly, staff believes the following recommendations are appropriate.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission grant a voluntary cancellation of Certificate No. 7360 issued in the name of Salauddin Chawdury?

**RECOMMENDATION:** Yes. The Commission should grant the company a voluntary cancellation of its Certificate No. 7360 with an effective date of December 31, 2000. In addition, the Division of the Commission Clerk & Administrative Services 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. (Isler; K. Peña; B. Keating)

**STAFF ANALYSIS:** Rule 25-24.514, Florida Administrative Code, establishes the requirements for cancellation of a certificate. The rule provides for the Commission to cancel a certificate on its own motion for violation of Commission Rules and Orders.

Rule 25-4.0161, Florida Administrative Code, which implements Section 364.336, Florida Statutes, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

Staff wrote a letter to Mr. Chawdury dated May 14, 2001, and explained that this docket had been established for nonpayment of the 2000 RAF. Mr. Chawdury's family returned the first page of staff's letter, along with Mr. Chawdury's death certificate, who passed away May 12, 2001. Due to the extenuating circumstances, staff believes the Commission should grant the company a voluntary cancellation of its Certificate No. 7360 with an effective date of December 31, 2000. In addition, the Division of the Commission Clerk & Administrative Services 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.

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**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (K. Peña; B. Keating)

**STAFF ANALYSIS:** If the Commission approves staff's recommendation in Issue 1, no other issues remain unresolved and this docket should be closed.