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

Public Service Commission

September 20, 2001

Via Facsimile

Ms. Linda Jensen, Executive Vice President
Wireless Access Network, Inc.
12800 University Drive, Suite 550
Fort Myers, FL 33907-5337

RE: Docket No. 011041-TI

Dear Ms. Jensen:

On August 27, 2001, the Commission received the company's payment for the 2000 Regulatory Assessment Fee (RAF), plus penalty and interest charges. However, as my August 16th letter to you explained, just paying the past due amount would not prevent the company's certificate from being cancelled. Since you indicated in our telephone conversation that the company wishes to keep its certificate active, Wireless Access Network, Inc. should propose a settlement to resolve this docket. All settlement proposals should include the following information:

- Docket number;
- A statement that the company has taken steps to prevent future late payments of the regulatory assessment fees and what those steps are;
- A waiver of objection to the administrative cancellation of the company's certificate in the event its offer is accepted and it fails to comply with the terms which it has offered. If, however, there is a factual dispute as to the manner or level of compliance with any provision in the settlement, Commission staff will bring the matter to the Commission for consideration; and
- Make a specific monetary settlement. There is normally a \$500 fine for this rule violation. However, the Commission has accepted amounts less than the fine amount in other similar cases.

Any settlement offer/correspondence should be addressed to Ms. Blanca Bayó, Director, Division of the Commission Clerk & Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. The proposed settlement amount should

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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.

Please let me know what your decision is by October 5, 2001. If you 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,



Paula J. Isler, Research Assistant
Bureau of Service Quality

cc: Docket No. 011041-TI
Division of Legal Services (K. Peña)

TRANSMISSION VERIFICATION REPORT

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