



ORIGINAL

831 NORTH MONROE STREET • TALLAHASSEE, FLORIDA 32303 • (850) 205-8500 • FAX (850) 205-8508

November 8, 2001

Blanca S. Bayo
Director
Division of the Commission Clerk
And Administrative Services
Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED-PPSC
01 NOV -9 AM 10:26
COMMISSION
CLERK

Subject: Docket Number 011425-TX

Dear Ms. Bayo:

Business Communications, Inc., received a fax dated 11/7/01 stating that we had violated Section 264.183(1), F.S., Access to Company Records.

I immediately contacted the OPR Staff, A. Fondo and M. Watts, who cordially informed me that we failed to submit our **Year 2001 Local Competition Report Data Request**. After discussing the item and getting some additional information about the ramifications of this potential failure, I indicated my desire to always stay in compliance. Immediately after talking to Ms. Fondo and Ms. Watts, I went to our files and produced the document (dated 7/10/01 and sent to Mr. Kevin Bloom, a full month and 7 days before the due date of August 17, 2001). I then re-sent the document to Ms. Fondo via fax (I believe that Ms. Fondo and Ms. Watts are sure, from the elapsed time from my knowing about the incident to the time I re-faxed it, that I truly had it on file and had attempted, in good faith, to send it).

The next day (November 8, 2001), I again called Ms. Fondo and Ms. Watts, they acknowledged receiving the re-sent information and explained that I would still be subject to the hearing and fine (they stated that a \$5,000 fine had been set for this type of infraction). Ms. Fondo and Ms. Watts then noted that my cover sheet to the fax originally sent to Mr. Bloom had his voice line (413-6526) in the fax box rather than the correct fax number of 413-6527.

I personally sent the fax to Mr. Bloom and may have sent it to the voice line (one digit off) or it may have met technical failure at either end of the transmission. Honest mistakes happen. I probably made it.

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DOCUMENT NUMBER-DATE

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PPSC-COMMISSION CLERK

I am asking you and the Commission to forgive me for the unintentional error (whether mine or technical at my end or the PSC's end). My intentions were good. I filled out the request and sent it back within 3 days of receipt. If I had known the Commission had not received the information, I would have personally carried it to the Commission office.

I know the world is paved with good intentions. However, a \$5,000 dollar penalty is steep for an honest mistake or a technical problem. I am asking that you consider a \$500 fine adequate punishment for an "unintended crime" by a small firm trying to provide services. I can assure you that a this level of fine is very meaningful to me.

I can further assure you that this matter has my attention. From this date forward, I will get fax confirmations on items sent to the Commission and I will not take technology for granted. Please accept this offer.

Sincerely requesting your thoughtful consideration,



Thomas W. Allen
President, BCI

Attachments

STATE OF FLORIDA

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Angela
4/3/05
6:54

Public Service Commission

Dear Party to Proceeding:

Enclosed is a copy of the current case assignment and scheduling record (CASR) for this docket. You can also obtain docket information, including time schedules, by accessing the PSC Home Page on the Internet, at <http://www.floridapsc.com>.

The dates in this CASR should provide you with an opportunity to anticipate completion stages of work in the docket. Please keep in mind, however, that the listed dates are intended primarily for use by Commission staff and can change at any time. For firm dates of hearings, meetings, and other procedural matters in the docket, you should always refer to the Commission's orders and notices.

Sincerely,

Blanca S. Bayó

BSB:kf

PSC/CCA035-C (Rev. 10/01)

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. D11425-TX Date Docketed: 10/31/2001 Title: Compliance investigation of Business Communications, Inc. d/b/a University Club Communications, LLC for apparent violation of Section 364.183(1), F.S., Access to Company Records.
 Company: Business Communications, Inc. d/b/a University Club

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: APP GAF CCA (CMP) ECR GCL LEG PAI RGO SER
 ("()") indicates OPR
 _____ X _____ X _____

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program/Module BIC(a)

Staff Assignments

OPR Staff A Fondo, M Watts

Staff Counsel F Banks

OCRs () _____

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**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Current CASR revision level

Due Dates

	Due Dates	
	Previous	Current
1. Staff Recommendation	NONE	12/06/2001
2. Agenda	NONE	12/18/2001
3. PAA Order	NONE	01/08/2002
4. Close Docket or Revise CASR	NONE	03/29/2002
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: 11/06/2001

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JC	DS	JB	BE	PL		
X							

- Prehearing Officer

Commissioners					ADM
JC	DS	JB	BE	PL	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: 11/06/2001

831 North Monroe St
Tallahassee, Florida 32303
850-205-8500
850-205-8508 FAX

**Business
Communications Inc.**

Fax

To: Angela Fowdo From: Tom Allen

Fax: 413 6547 Pages: 4

Phone: _____ Date: Nov. 7 4:55 P.M.

Re: Yr 2001 Comp Report CC: _____

Data Request (Resend)
 Urgent For Review Please Comment Please Reply Please Recycle

Please Help — I did send
this!

Thank you,



Please file
Fax

831 N. Monroe Street Tallahassee Florida 32303 850.205.8500

Fax

To: Kevin Bloom From: Tom Allen

Fax: -850 413 6520 Pages: 4

Phone: - Date: 7/10/01

Re: Yr. 2001 Competition Report CPate Request

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

TX 557

Hold certificate but

"Not offering service"
at this time.

Please call with
any additional questions!

Thanks,

Tom Allen

STATE OF FLORIDA

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



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

Public Service Commission

July 6, 2001

Thomas W. Allen
President
Business Communications, Inc. - TX557
831 North Monroe Street
Tallahassee, FL 32303-6140

Re: Year 2001 Local Competition Report Data Request

Dear Mr. Allen:

Chapter 364, Florida Statutes, contains the framework the Commission uses for regulation of the telecommunications industry. As a result of certain amendments made to the chapter during the 1995 legislative session, the Commission has a statutory mandate to prepare and deliver annually a report, to the Governor and the Legislature, on the status of competition in the telecommunications industry. The report is due to the Legislature no later than December 1, 2001.

In order to meet this legislative mandate we must gather data from the industry. The attached data request will help us evaluate the status of local competition in Florida. The survey was designed to enable fairly brief responses. In addition, we ask that you provide any comments or additional information you believe will assist staff in evaluating and reporting on the development of local exchange competition in Florida.

Once the completed data request is received by the Commission, the information will be public record. If you believe your response to the data request contains confidential information, you can request that your response be exempt from FS 119.07(1), General State Policy on Public Records. Enclosed is a copy of Florida Public Service Commission Rule 25-22.006, Florida Administrative Code, which provides the necessary information for submitting confidential information to be exempt from FS 119.07(1). Please note that a claim of confidentiality does not alleviate the obligation to respond to the data request in a timely manner. In addition, claims of confidentiality should not be made for information that is publicly available from other sources (switch locations, for example, are available from the Local Exchange Routing Guide).

In order to meet our statutory obligations, it is essential that we obtain this information in a timely manner, as required by Florida Public Service Commission Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries.

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

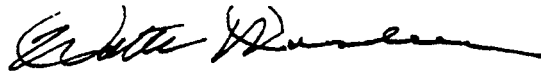
Internet E-mail: contact@psc.state.fl.us

Thomas W. Allen
Business Communications, Inc.
Page 2
July 6, 2001

Failure to comply with Rule 25-4.043, Florida Administrative Code, can result in the Commission assessing penalties of up to \$25,000 per offense, with each day of non-compliance constituting a separate offense per FS 364.285(1). The Commission currently has enforcement actions pending against companies for failing to respond to staff's data request for the year 2000 report. If your company holds a certificate but is not currently active in the marketplace, you may print your company's name and the words "Not offering service" on the first page of the data request and return the data request to this agency.

We ask that you provide your responses to the enclosed data requests no later than August 17, 2001. Your response may be sent via mail, or by facsimile to (850) 413-6527. If you have questions, please contact Kevin Bloom at (850) 413-6526.

Sincerely,



Walter D'Haeseleer
Director

KJB
Enclosure

2001 ALEC Data Request

TX 557
HOLD CERTIFICATE
BUT "NOT OFFERING SERVICE"

Florida Statute 364.02(2) defines basic local service as:

"**Basic local telecommunications service**" means voice-grade, flat-rate residential and flat-rate single line business local exchange services which provide dial tone, local usage necessary to place unlimited calls within a local exchange area, dual tone multi-frequency dialing, and access to the following: emergency services such as "911," all locally available interexchange companies, directory assistance, operator services, relay services, and an alphabetical directory listing. For a local exchange company, such terms shall include any extended area service routes, and extended calling service in existence or ordered by the commission on or before July, 1 1995.

1.
 - a. Are you providing service to residential customers in Florida that complies with the above definition of **basic local service**?
 - b. To how many residential customers are you providing **basic local service** in Florida?
 - c. What are your current rates for providing residential **basic local service**?
 - d. Are you providing service to business customers in Florida that complies with the above definition of **basic local service**?
 - e. To how many business customers are you providing **basic local service** in Florida?
 - f. What are your current rates for providing business **basic local service** in Florida?
2. Are you currently providing other forms of local service (business or residential) in Florida that may not meet Florida's statutory definition of **basic local service**? (Examples could include: multi-line business users; services with toll or usage restrictions; mandatory 900 blocking; limited amount of local calling included in the monthly charge; bundled service offerings; etc.)
(If yes, continue with question #2; if no, skip to Question #3)
 - a. Are you currently providing other forms of local service to residential customers in Florida?
 - b. If the response to a. is affirmative, please describe each of the forms of local service you are providing to residential customers in Florida. (If available, please provide marketing brochures or comparable materials.)