

ORIGINAL

M E M O R A N D U M

November 27, 2001

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COMMISSION  
CLERK

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: DIVISION OF LEGAL SERVICES (KNIGHT) WDK

RE: DOCKET NO. 011140-TI - INITIATION OF SHOW CAUSE PROCEEDINGS AGAINST ORION TELECOMMUNICATIONS CORP D/B/A ORION TELECOMMUNICATIONS CORP OF NEW YORK FOR APPARENT VIOLATION OF RULE 25-24.910, F.A.C., CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED.

Attached are Settlement Letters, to be filed in the above-referenced docket.

WDK/  
Attachment

APP  
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DOCUMENT NUMBER-DATE

14945 NOV 27 01

FPSC-COMMISSION CLERK

**KLEIN, ZELMAN, ROTHERMEL & DICHTER, L.L.P.**

**ATTORNEYS AT LAW**

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**SEAN A. MOYNIHAN  
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MARY A. MOONEY**

**PERSONAL & CONFIDENTIAL  
FOR SETTLEMENT PURPOSES ONLY**

November 16, 2001

**VIA TELECOPIER (850) 413-6233 AND FEDERAL EXPRESS**

Wayne Knight, Esq.  
Staff Attorney  
Florida Public Service Commission  
c/o Division of Records and Reporting  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 011140-TI - Initiation of Show  
Cause Proceedings Against Orion Telecommunications Corp.

Dear Mr. Knight:

On behalf of our client, Orion Telecommunications Corp. ("Orion"), I write for purposes of offering a good faith settlement in the above-referenced docket. Orion proposes to settle the alleged violation of Rule 25-24.910, Florida Administrative Code, by: 1) filing to obtain a Certificate of Public Convenience and Necessity ("CPCN") to provide resold interexchange telecommunications services within the State of Florida in the week of November 19, 2001; 2) ceasing all distribution of the "Florida Supreme" branded card pending approval of its CPCN; 3) representation that the "Florida Supreme" brand cards will, after grant of the CPCN, be fully compliant with the Rules and Regulations of the Florida Public Service Commission; and 4) agreeing to pay a reduced fine of Twenty Thousand Dollars (\$20,000.00), to be remitted to the State of Florida General Revenue Fund. To that end, I have enclosed one bank check in the amount of Twenty Thousand Dollars (\$20,000.00) made to the order of the Florida General Revenue Fund.

00047661:F

P.02/04

212 753 8101 TO 18504136233

NOV 16 11:29 AM KLEIN ZELMAN

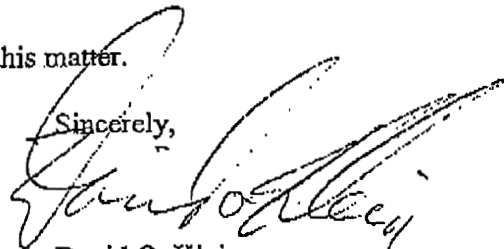
KLEIN, ZELMAN, ROTHERMEL & DICHTER, L.L.P.

Wayne Knight, Esq.  
November 16, 2001  
Page 2

Please advise as to when this good faith settlement offer will be presented to the Commission for its review.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "David O. Klein", written in dark ink.

David O. Klein

Enclosure

AR/2318-00/47661

00047661:1

P.03/04

212 753 8101 TO 18504136233

NOV 16 11:30 AM 2001 KLEIN ZELMAN

7027

THIS



ORION TELECOMMUNICATIONS  
42-40 BELL BLVD.  
BAYSIDE, NY 11361

7027  
CHECK NO.

NOV 8 2001 \*\*\*\*\*\$20,000.00  
DATE AMOUNT

Memo:

PAY Twenty Thousand and 0/100 Dollars  
TO THE Florida General Revenue Fund  
ORDER OF:

\*AUTHORIZED SIGNATURE

Bank account numbers  
119.07(1)(z), Florida Statutes: or credit card numbers given to an  
or debit, charge, or agency for the purpose of payment of any fee or debt  
owing are confidential and exempt from subsection (1)  
and s.24(a), Art. 1 of the State Constitution

**KLEIN, ZELMAN, ROTHERMEL & DICHTER, L.L.P.**

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SEAN A. MOYNIHAN  
B. SIMEON GOLDSTEIN  
MARY A. MOONEY

**PERSONAL & CONFIDENTIAL**  
**FOR SETTLEMENT PURPOSES ONLY**

October 24, 2001

VIA TELECOPIER (850) 413-6233 AND FEDERAL EXPRESS

Wayne Knight, Esq.  
Staff Attorney  
Florida Public Service Commission  
c/o Division of Records and Reporting  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

OCT 25 2001

Re: Docket No. 011140-TI - Initiation of Show  
Cause Proceedings Against Orion Telecommunications Corp.

Dear Mr. Knight:

On behalf of our client, Orion Telecommunications Corp. ("Orion"), I write for purposes of offering a good faith settlement in the above-referenced docket. Orion proposes to settle the alleged violation of Rule 25-24.910, Florida Administrative Code, by: 1) filing to obtain a Certificate of Public Convenience and Necessity to provide resold interexchange telecommunications services within the State of Florida; and 2) agreeing to pay a reduced fine of Eight Thousand Dollars (\$8,000.00), to be remitted to the State of Florida General Revenue Fund.

Please review this good faith settlement offer at your earliest convenience, and contact me as to how this matter may be resolved in a prompt fashion.

Thank you for your prompt attention to this matter.

Sincerely,

  
David O. Klein

00047233,1

01 OCT 25 AM 8:58  
DISTRIBUTION CENTER