



*P. Isler
JCA*

ORIGINAL

November 29, 2001
Via Overnight Delivery

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Winter Park, FL
32789

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Winter Park, FL
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DEPOSIT DATE
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*CK 29255
\$100.00
MC*

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: **Futur Telecom America, Inc.**
Interexchange Company Regulatory Assessment Fee Return
For the year ended December 31, 2000
Docket # 011098-TI
Settlement - Payment

TJ447-Settlement

Dear Ms. Bayo:

This letter is being sent to provide payment of settlement regarding Interexchange Company Regulatory Assessment Fee Return for the year ended December 31, 2000, filed on behalf of Futur Telecom America, Inc. A check in the amount of \$100.00 is enclosed to cover the settlement fee due.

Please acknowledge receipt of this payment by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Please do not hesitate to contact me at 407-740-3003 if you have any questions or concerns related to this filing. Please inform me if there are any other requirements necessary to close docket #011098 and return Futur Telecom America, Inc. to good standing and/or full compliance standing with the Florida Public Service Commission. Thank you for your assistance in this matter.

Sincerely,

Mark G. Lammert
Compliance Reporting Consultant

cc: Paula J. Isler, Research Assistant – Florida Public Service Commission
Pierre Martin - Futur Telecom America, Inc.
Robin Norton – Technologies Management, Inc.

file: Futur Telecom America, Inc. - Reporting - Florida
RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
15101 DEC-4 01
FPSC-COMMISSION CLERK

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ATTACHMENT A
Order Approving Settlement

Florida Public Service Commission

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Docket 011098

Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 7669 issued to Futur Telecom America, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

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- [Parties of Record and Interested Persons](#)
- [Staff Assigned](#)
- [Commissioners Assigned](#)

WARNING: THIS TIME SCHEDULE IS TENTATIVE AND SUBJECT TO REVISION.

Time Schedule (CASR) for Docket 011098:

Description	Previous Due Date	Due Date	Completed Date
\$67.00 payment of RAFs with P/I	None	10/08/2001	10/08/2001
Letter proposing \$100.00 settlement	None	10/08/2001	10/08/2001
Letter revising proposed settlement offer	None	10/23/2001	10/23/2001
Staff Recommendation	None	11/07/2001	11/06/2001
Agenda	None	11/19/2001	11/19/2001
PAA Order - PSC Certificate Cancellation	None	12/10/2001	

Parties of Record and Interested Persons in Docket 011098:

- *
Futur Telecom America, Inc.
 35 West 36th Street, 7th Floor
 New York, NY 10018-7906
 Phone: (212) 971-5400
 Fax: (212) 971-9140
 Email: sdm@futurtelecom.com

- *
Technologies Management, Inc.
Mark G. Lammert
P.O. Drawer 200
Winter Park, FL 32790-0200
Phone: 407-740-8575
Fax: 407-740-0613

"**" Indicates an entry which is an "official party of record".

Staff Assigned to Docket: 011098

Paula Isler
Kimberley Pena
Mary (Beth) Keating

Commissioners Assigned to Docket: 011098

Pre-hearing Officer:

Lila Jaber

Hearing Officer(s):

All Commissioners



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FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 19, 2001

RE: Docket No. 011098-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 7669 issued to Futur Telecom America, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

ISSUE 1: Should the Commission accept the settlement offer proposed by Futur Telecom America, Inc. to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within ten business days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, Certificate No. 7669 should be canceled administratively.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the Majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

14622 NOV 19 01

FPSC-COMMISSION CLERK

VOTE SHEET

NOVEMBER 19, 2001

Docket No. 011098-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 7669 issued to Futur Telecom America, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

APPROVED

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State of Florida

Public Service Commissi
CAPITAL CIRCLE OFFICE CENTER □
TALLAHASSEE, FLORIDA 32

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

DATE: NOVEMBER 7, 2001

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

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

RE: DOCKET NO. 011098-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION
OF INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 7669 ISSUED TO FUTUR
TELECOM AMERICA, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY
ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

AGENDA: 11/19/01 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\011098.RCM

CASE BACKGROUND

12/08/00 - This company obtained Florida Public Service Commission Certificate No. 7669. *

12/12/00 - The Division of the Commission Clerk & Administrative Services mailed the 2000 Regulatory Assessment Fee (RAF) notice. The due date was January 30, 2001.

02/21/01 - The Division of the Commission Clerk & Administrative Services mailed a delinquent notice.

08/28/01 - Ms. Robin Norton, Consultant, contacted staff on behalf of Futur Telecom America, Inc. Ms. Norton advised staff that the company would propose a settlement and pay the past due amount. On the same date, staff faxed the company's options and the 2000 RAF return notice.

10/08/01 - The Commission received the company's payment for the outstanding amount, including statutory penalty and interest charges. The company reported revenues in the amount of \$1,322 for the period ended December 31, 2000. In addition, the company proposed a settlement.

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.337, *Florida Statutes*. Accordingly, staff believes the following recommendations are appropriate.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission accept the settlement offer proposed by Futur Telecom America, Inc. to resolve the apparent violation of Rule 25-4.0161, *Florida Administrative Code*, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within ten business days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), *Florida Statutes*. If the company fails to pay in accordance with the terms of the Commission Order, Certificate No. 7669 should be canceled administratively. (Isler)

STAFF ANALYSIS: 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.

After this docket was opened, but prior to staff filing a recommendation, the Commission received the company's payment for the outstanding regulatory assessment fee, including statutory penalty and interest charges, and a letter from the company's consultant, which offered to pay a \$100 contribution and proposed to pay future RAFs on a timely basis. In addition, the company's settlement proposal included a waiver of objection to the administrative cancellation of the company's certificate in the event the settlement proposal is accepted and the company ultimately fails to comply with the terms of its offer. The recommended settlement amount is consistent with amounts the Commission has accepted for recent, similar violations.

Accordingly, staff believes the terms of the settlement agreement as summarized in this recommendation should be accepted. Any contribution should be received by the Commission within ten business days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), *Florida Statutes*. If the company fails to pay in

accordance with the terms of the Commission Order, Certificate No. 7669 should be canceled administratively.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate. (K. Peña; B. Keating)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

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