



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: December 14, 2001
TO: Blanca Bayo, Director of the Division of Commission Clerk & Administrative Services
FROM: Angela Fondo, Division of Competitive Services
RE: Docket No. 011441-TX

Please include this correspondence in docket 011441-TX. Customer is submitting settlement offer regarding Compliance Investigation for violation or Section 364.183(1).

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Suite 1
360 Second Avenue
Waltham, MA 02451
Phone: (781) 466-1335
Fax: (781) 466-1306
dvanwinkle@ctcnet.com

Fax

To: Ms. Blanca Bayo	From: Douglas A. Van Winkle
Fax: (850) 487-1716	Pages: 3, including this cover sheet
Phone: (850) 413-6770	Date: 12/14/01
Re: Docket No. 011441-TX	CC: Ms. Angela Fondo, (850) 413-6547

Urgent For Review Please Comment Please Reply Please Recycle

● Comments:

Please see the following.



December 14, 2001

VIA FACSIMILE and OVERNIGHT DELIVERY

Ms. Blanca Bayo
Director of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 011441-TX - CTC Communications Corp.

Dear Ms. Bayo:

Pursuant to telephone conversations with Ms. Angela Fondo of the Commission's staff, CTC Communications Corp. ("CTC") herewith submits this letter regarding the above-referenced proceeding. In this proceeding, CTC is the subject of a compliance investigation for apparent violation of section 364.183(1), F.S., Access to Company Records. Specifically, CTC faces a \$5,000 fine for failing to respond to the Commission's Year 2001 Local Competition Report Data Request dated July 6, 2001.¹

Regrettably, CTC failed to respond to the data request. CTC, however, assures the Commission that this was not a deliberate attempt to violate the Florida statute or to deny or restrict in any way the Commission's right to the information sought by the data request. Rather, CTC's failure to respond was the result of an administrative oversight on the part of CTC. Apparently, in the course of a departmental relocation within CTC's corporate offices in August, the material regarding the Commission's data request was misplaced. The original material has yet to be found. This is clearly an instance of poor organization, something that is the exception and not the rule at CTC. This incident has certainly raised the level of awareness within CTC of the importance of good organization and timeliness for maintaining good standing with regulatory agencies.

Inasmuch as CTC recognizes the importance of providing accurate and timely information required by the Commission, CTC takes its regulatory reporting obligations very seriously. CTC does not have a history of being delinquent with its regulatory reporting. The failure to submit a response in this instance is an isolated incident and CTC will take care to see that it is not repeated.

¹The Commission's Data Request was delivered via Certified U.S. Mail and the return receipt confirms that it was received at CTC corporate offices on July 9, 2001.

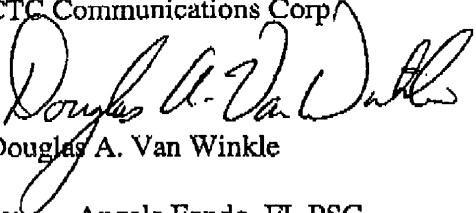
Ms. Blanca Bayo
December 14, 2001

Finally, since CTC is not currently active in the Florida marketplace, CTC would have accordingly responded "Not offering service." Thus, CTC's response would have had minimal value, if any at all, to the Commission's Local Competition Report. CTC's failure to respond likely had no statistical impact on the Report.

In light of the foregoing, CTC respectfully requests that the Commission waive the staff-recommended \$5,000 fine. Alternatively, CTC respectfully requests that the Commission consider CTC's proposal to pay a fine equal to any administrative costs incurred by the Commission associated with the resolution of this matter as it relates to CTC.

Please acknowledge receipt of this filing by date-stamping the enclosed copy of this cover letter and returning it in the envelope provided. Should any questions arise regarding this filing, please do not hesitate to contact the undersigned at (781) 466-1335 or by e-mail at dvanwinkle@ctcnet.com.

Respectfully submitted,
CTC Communications Corp



Douglas A. Van Winkle

cc: Angela Fondo, FL PSC
Pamela L. Hintz, CTC Director of Regulatory and Tariff Compliance