

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Compliance investigation  
of WorldTeq Corporation for  
apparent violation of Rule 25-  
24.470, F.A.C., Certificate of  
Public Convenience and Necessity  
Required.

DOCKET NO. 011653-TI  
ORDER NO. PSC-02-0563-FOF-TI  
ISSUED: April 25, 2002

The following Commissioners participated in the disposition of  
this matter:

LILA A. JABER, Chairman  
J. TERRY DEASON  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI  
RUDOLPH "RUDY" BRADLEY

FINAL ORDER CLOSING DOCKET

BY THE COMMISSION:

I. CASE BACKGROUND

On September 21, 2001, our staff investigated a complaint from a Florida consumer regarding improper billing from WorldTeq Corporation (WorldTeq) and discovered that WorldTeq had not obtained a Certificate of Public Convenience and Necessity (Certificate) from the Commission to provide intrastate interexchange company (IXC) telecommunications service in Florida. On September 26, 2001, our staff sent WorldTeq a certified letter addressed to Mr. Bruce Bertman, President and CEO of WorldTeq, informing him about the Commission's requirement to obtain an IXC Certificate prior to providing intrastate IXC telecommunications service in Florida. Subsequently, on October 24, 2001, our staff received a facsimile from WorldTeq in which Mr. Bertman stated his company had already started the application and filing process and would make sure it was done in an expeditious manner.

On November 5, 2001, our staff sent Mr. Bertman a second certified letter confirming a telephone conversation that took

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place on October 23, 2001, and reiterating the fact that providing intrastate IXC telecommunications service without first obtaining a certificate is an apparent violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required. As of December 17, 2001, the company failed to submit an application to the Commission. Consequently, we opened this docket to investigate the company's apparent violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required. This docket was initially scheduled for the February 5, 2002, Agenda Conference.

Subsequently, this docket was deferred from the February 5, 2002, Agenda Conference and on February 18, 2002, WorldTeq submitted its application for an IXC certificate and Docket No. 020132-TI was opened. At the April 2, 2002, Agenda Conference the Commission voted to approve WorldTeq's application for an IXC certificate in Docket No. 020132-TI.

The Florida Public Service Commission is vested with jurisdiction in this matter pursuant to Sections 364.285, 364.33, and 364.337, Florida Statutes.

## II. ANALYSIS

WorldTeq is a reseller of intrastate IXC telecommunications services and apparently did not realize that the Commission requires resellers to obtain a certificate. During discussions and correspondence with our staff, the company agreed to obtain an IXC certificate and indicated it would do so expeditiously. We opened this docket after WorldTeq failed to submit its application within a reasonable amount of time.

On February 4, 2002, WorldTeq contacted our staff and explained that the company did, in fact, undertake the necessary actions to obtain a certificate in December 2001, but mistakenly sent its application to the Florida Department of State, Division of Corporations. Our staff was unaware of WorldTeq's actions until contacted by the company. Subsequently, in its letter dated February 15, 2002, WorldTeq recounted the mitigating circumstances that caused its application to be submitted later than anticipated.

WorldTeq submitted its application for an IXC certificate on February 18, 2002. At the April 2, 2002, Agenda Conference, in Docket No. 020132-TI, we voted to approve WorldTeq's application for a certificate. Hence, WorldTeq has obtained an IXC certificate and complied with Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required. Furthermore, the company resolved the consumer complaint that prompted our staff's initial investigation into this matter.

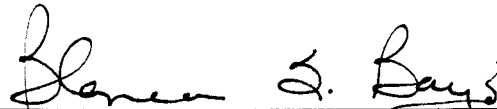
III. DECISION

Accordingly, we find that Docket No. 011653-TI should be closed upon issuance of this Order since WorldTeq has obtained an IXC certificate and there are no further issues that need to be addressed by the Commission.

Based on the foregoing, it is

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission this 25th day of April, 2002.



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BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

( S E A L )

AJT

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.