



Public Service Commission

DATE: May 10, 2002
TO: Division of the Commission Clerk & Administrative Services (Bayó)
FROM: Division of Competitive Services (Isler) *Pji*
RE: Docket No. 010696-TC - Cancellation by Florida Public Service Commission of PATS Certificate No. 7418 issued to Alpha Tel-Com, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Order No. PSC-01-2425-AS-TC was issued on December 12, 2001, which accepted the company's \$100 settlement proposal. According to the Order, the company had until December 26, 2001 to pay the \$100 contribution. No payment was received, therefore, the company's certificate was administratively cancelled effective December 28, 2001.

On April 29, 2002, the Commission received payment of the \$100 settlement, the 2001 Regulatory Assessment Fee, including statutory penalty and interest charges, a \$100 application fee (see Docket No. 020380-TC) and new application. The company's letter submitting the new application stated that Alpha Tel-Com, Inc. had filed for bankruptcy on August 24, 2001. However, the company had not provided proof of the bankruptcy nor had the Commission received notice of the bankruptcy filing from the US Bankruptcy Court.

On May 9, 2002, the Office of the General Counsel received a faxed copy of the official notice that Alpha Tel-Com, Inc. had filed for Chapter 11 bankruptcy protection and was assigned Case No. 01-40109-elp11. Ms. Michele Pedraita of Alpha Tel-Com, Inc. advised staff that the original of the fax would be mailed to the Division of the Commission Clerk & Administrative Services.

Based on the fact that the company had filed for bankruptcy prior to cancellation of the company's certificate, this docket should be reopened so that staff can take a recommendation to the Commissioners to reinstate the company's certificate.

Accordingly, please reopen this docket and change OPR staff from the Division of Competitive Markets & Enforcement (Isler) to the Office of the General Counsel (Elliott; K. Peña). The Office of the General Counsel will revise the CASR once the docket has been reopened. Let me know if you have any questions.

Attachment (3 pages)
cc: Office of the General Counsel (J. Elliott; K. Peña)

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FPSC-COMMISSION CLERK

- ALPHA TELCOM
1905 NW WASHINGTON
GRANTS PASS, OREGON 97526
- PHONE: 541-956-2050 FX: 3124
F - AX: 541-956-2017

FACSIMILE TRANSMITTAL SHEET

TO:
Kimberely Pena

FROM:
Michele Pedraita

COMPANY:

DATE:

5/9/02

FAX NUMBER:

TOTAL NO. OF PAGES INCLUDING COVER:

850-413-6394

34

541-956-2050 ex 3124

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

RE:

Court Order

YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Hi Kimberely,

Thank you so much for the wonderful news. I'm faxing the court order as well as the letter I sent on the 12th of February along with the tax forms so they would know what companies were also represented. I appreciate every bit of help you have given me. I did look into Keiser and they have a wonderful paralegal program, but it was so expensive. Let me know if you need anything else. Michele

Alpha Telcom, Inc.



February 12, 2002

Division of the Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

Dear Sir,

This letter pertains to your notice requesting payment for taxes due. Please be advised that Alpha Telcom, Inc. filed a voluntary petition for relief under chapter 11 of the bankruptcy code on August 24, 2001 (USBC case number 01-40109-elp11; see enclosed copy of petition). Alpha Telcom, Inc. and its related entities are also the subject of an SEC receivership (SEC v. Alpha Telcom, Inc., et al., case no.: CV 01-1283 PA). Because this notice refers to taxes assessed prior to August 24, 2001, we believe these taxes may be pre-petition in nature; therefore, to continue to pursue collection is a violation of the automatic stay. In the event that you believe you have a claim against the bankruptcy estate, please file a proof of claim with the United States Bankruptcy Court in the District of Oregon.

Sincerely,

Michele Pedraita
Regulatory/Auditing Department
Phone: 541-956-2050 ex 3124

FORM B9FA (ALT.) (Chapter 11 Corporation/Partnership Case) (9/97)

UNITED STATES BANKRUPTCY COURT District of Oregon

Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors, & Deadlines

Chapter 11 bankruptcy cases concerning the Debtors listed below were filed on August 24, 2001 in the Southern District of Florida. Pursuant to Court Orders dated September 17, 2001, the cases were transferred to the District of Oregon.

You may be a creditor of the debtors. This notice lists important deadlines. You may want to consult an attorney to protect rights. All documents except proofs of claim or interests filed in the case may be inspected at the bankruptcy clerk's office address listed below.

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

Revised Notice of Meeting of Creditors

Debtor (name(s) and address): ALPHA TEL-COM, INC. FLORIDA PAY PHONE SYSTEMS, INC. PACIFIC TELCOM, INC. NEW YORK PAY PHONE SYSTEMS, INC.	Case Number: 301-40109-elp11 (Lead Case) Jointly Administered With 301-40108-elp11, 301-40111 and 301-40112-elp11 Taxpayer ID Nos.: 93-0933024 65-0494591 88-0307494 14-1679756
Attorney for Debtor In Possession (name and address): David R. Zaro and Michael S. Gregor Allen Mathias Leck Gamble & Mallory LLP 1900 Main Street, 5 th Flr. Irvine, California 92614	Telephone Number: (949) 553-1313

Meeting of Creditors

Date: December 18, 2001	Time: 10:00 A.M.	Location: Office of the U.S. Trustee 620 SW Main St., Room 2 Portland, OR 97205
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Deadlines to File a Proof of Claim

Proofs of claim must be filed with the bankruptcy clerk's office by the following deadline:

March 18, 2002 for all creditors, except for governmental units, who must file no later than 50 days after this date.

Creditor May Not Take Certain Actions

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office: Bankruptcy Clerk's Office 1001 SW 5 th Avenue, #700 Portland, OR 97204 Telephone number: (503) 326-2231	For the Court: Clerk, U.S. Bankruptcy Court
Hours Open: Monday-Friday 9:00 a.m. - 4:30 p.m. Closed all Legal Holidays	Date: 11/27/2001