

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

<b>Date</b>	06/13/02	<b>Docket No.</b>	020515-TI
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<b>1. Division Name/Staff Name:</b>	Division of Competitive Services & Enforcement/Isler
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<b>2. OPR: Division of Competitive Services &amp; Enforcement/Isler</b>
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<b>3. OCR: Office of the General Counsel</b>
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<b>4. Suggested Docket Title: Finding of Insolvency Cancellation by Florida Public Service Commission of IXC Certificate No. 7175 Issued to Interglobal Telephone Company d/b/a ITC for Violation of Rule 25-4.0161, F.A.C.,</b>
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<b>Regulatory Assessment Fees; Telecommunications Companies</b>
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<b>5. Suggested Docket Mailing List (attach separate sheet if necessary)</b> <b>A. Provide NAMES OR ACRONYMS ONLY if a regulated company.</b> <b>B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)</b> <b>1. Parties and their representatives (if any):</b>
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<b>2. Interested persons and their representatives (if any):</b>

<b>6. Check one:</b> <input checked="" type="checkbox"/> <b>Documentation is attached.</b> <input type="checkbox"/> <b>Documentation will be provided with recommendation.</b>
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DOCUMENT RECEIVED  
06143 JUN 13 08  
FPSC-COMMISSION CLERK

**Paula Isler**

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**From:** Lee Fordham  
**Sent:** Wednesday, June 12, 2002 4:18 PM  
**To:** Paula Isler  
**Subject:** RE: Finding of insolvency case

That works.

-----Original Message-----

From: Paula Isler  
Sent: Wednesday, June 12, 2002 4:15 PM  
To: Lee Fordham  
Subject: Finding of insolvency case

Per your e-mail, I am getting ready to open the docket and made the title "Finding of Insolvency Cancellation by Florida Public Service Commission of IXC Certificate No. 7175 Issued to Interglobal Telephone Company d/b/a ITC for Violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies."

Do you agree that should be the title?

## Paula Isler

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**From:** Lee Fordham  
**Sent:** Tuesday, June 11, 2002 12:45 PM  
**To:** Beth Keating  
**Cc:** Paula Isler  
**Subject:** RE: Interlobular Telephone Company d/b/a ITC (TJ271)

Yes, it does. Interestingly, it provides only for liquidation. There is no provision for efforts to reorganize and survive. The assignee of the assets is under the statutory obligation to liquidate all assets and pay creditors in the same manner as a federal Chapter 7 proceeding. We missed the boat as far as being on the list for partial payment.

-----Original Message-----

**From:** Beth Keating  
**Sent:** Tuesday, June 11, 2002 12:01 PM  
**To:** Lee Fordham  
**Cc:** Paula Isler  
**Subject:** RE: Interlobular Telephone Company d/b/a ITC (TJ271)

Sounds good. I assume that this provision includes similar prohibitions against administrative action and the assessment of fines, etc.?

-----Original Message-----

**From:** Lee Fordham  
**Sent:** Tuesday, June 11, 2002 12:00 PM  
**To:** Beth Keating; Paula Isler  
**Subject:** RE: Interlobular Telephone Company d/b/a ITC (TJ271)

This is sort of the State equivalent of Bankruptcy. It is a procedure for administration of insolvent estates, administered by the circuit courts of Florida. As a practical matter, we should probably treat it as a bankruptcy inasmuch as there has been a judicial finding of insolvency. I recommend that we do a "bankruptcy cancellation," adapting the wording from bankruptcy to finding of insolvency.

-----Original Message-----

**From:** Beth Keating  
**Sent:** Tuesday, June 11, 2002 11:52 AM  
**To:** Paula Isler  
**Cc:** Lee Fordham  
**Subject:** RE: Interglobal Telephone Company d/b/a ITC (TJ271)

Hmm, I'm not familiar with that statute. This may require a little research.

Lee, could I call upon your knowledge in this area for assistance? This sounds odd. Thanks.

-----Original Message-----

**From:** Paula Isler  
**Sent:** Tuesday, June 11, 2002 11:50 AM  
**To:** Beth Keating  
**Subject:** Interglobal Telephone Company d/b/a ITC (TJ271)

Good morning, Beth. I had written this company and advised that if they did not pay 2001 RAFs, I would open a docket to cancel their certificate involuntarily.

I've received a letter from Angelina Diaz of Michael Moecker & Associates, Inc. which advised the company has been out of business since 9/26/01 and enclosed a copy of the "Notice of Assignment."

The Notice of Assignment looks like an Order from the Circuit Court of the 17th Judicial Circuit in Broward County, Case No. 01-16591 CACE 12, which states that on 9/26/01, the company filed a petition "commencing an Assignment for the benefit of creditors proceeding pursuant to Chapter 727, Florida Statutes." The order went on to explain how to file a claim before January 24, 2002.

The word bankruptcy is not mentioned anywhere and this is the first notice (that I'm aware of) the Commission has received. I don't believe this is a bankruptcy proceeding since they only quote a Florida Statute and not the US Code.

Normally, if there is a bankruptcy, I cancel the certificate and request that the unpaid RAFs be written off. Please advise how I would handle this.

T3271

2002 JUN -6 AM 10:56

DIVISION OF  
COMPETITIVE SERVICES

02 MAY 37 AM 8:06

DATE: June 3, 2002


TO: State of Florida Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

CASE NO.: 01-16591 CACE 12

This letter is to inform you that International Telephone Company is "OUT OF BUSINESS" as of September 26, 2001. For your convenience enclosed you will find a copy of the Notice of Assignment.

If you need any further information, please do not hesitate to call or write to us.

Very Truly Yours,



Angelina M. Diaz  
Secretary

/AD  
Enclosure(s)

IN THE CIRCUIT COURT OF THE 17TH  
JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

CASE NO: 01-16591 CACE 12

In Re:

INTERGLOBAL TELEPHONE COMPANY  
d/b/a INTERNATIONAL TELEPHONE  
COMPANY,

Assignor,

to:

DONALD KAPLAN,

Assignee.  
\_\_\_\_\_ /

**NOTICE OF ASSIGNMENT FOR THE BENEFIT OF  
CREDITORS AND DEPOSITION OF ASSIGNOR**

**TO ALL CREDITORS AND OTHER INTERESTED  
PARTIES PLEASE TAKE NOTICE THAT:**

1. On September 26, 2001, a Petition was filed commencing an Assignment for the Benefit of Creditors Proceeding pursuant to chapter 727, Florida Statutes, made by INTERGLOBAL TELEPHONE COMPANY d/b/a INTERNATIONAL TELEPHONE COMPANY, Assignor, with its principal place of business at 110 E. Broward Boulevard, Suite 610, Ft. Lauderdale, Florida 33301, to Donald Kaplan, whose address is 6861 S.W. 196<sup>th</sup> Avenue, Bldg. 200, Pembroke Pines, FL 33332.

2. In order to receive a dividend, if one is available in this proceeding, you must file a proof of claim with the Assignee, Donald Kaplan, 6861 S.W. 196<sup>th</sup> Avenue, Bldg. 200, Pembroke Pines, FL 33332 on or before January 24, 2002.

3. The examination of the assignor, under oath, pursuant to § 727.107 (3), Florida Statutes, shall take place in the office of counsel for the Assignee, Jay M. Gamberg, P.A., 4000 Hollywood Blvd., Suite 350 North, Hollywood, FL 33021, on October 23, 2001 at 11:00 a.m. You are not required to attend and it is suggested that if you plan to attend, you contact the undersigned counsel a day prior to the scheduled date.

Dated this 1<sup>st</sup> day of October, 2001.

JAY M. GAMBERG, P.A.  
Attorney for Assignee  
Presidential Circle  
4000 Hollywood Boulevard  
Suite 350 North Tower  
Hollywood, Florida 33021  
Telephone: (954) 981-4411  
Dade: (305) 670-8600  
Facsimile: (954) 966-6259

BY: \_\_\_\_\_

JAY M. GAMBERG, ESQ.  
Fla. Bar No: 178235

**CERTIFICATE OF SERVICE**

**WE HEREBY CERTIFY** that a true and correct copy of the foregoing was mailed to: all creditors and interested parties on the attached list this 1<sup>st</sup> day of October, 2001.

BY: \_\_\_\_\_

JAY M. GAMBERG, ESQ.

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT,  
IN AND FOR BROWARD COUNTY, STATE OF FLORIDA

In Re:

INTERGLOBAL TELEPHONE COMPANY  
d/b/a INTERNATIONAL TELEPHONE CO.

Assignor,

Case No.: 01-16591 CACE 12

To:

DONALD KAPLAN

Assignee.

PROOF OF CLAIM

TO RECEIVE ANY DIVIDEND IN THIS PROCEEDING, YOU MUST COMPLETE AND MAIL THIS PROOF OF CLAIM  
SO THAT THE ASSIGNEE RECEIVES IT NO LATER THAN:

JANUARY 24<sup>TH</sup>, 2002.

THE ASSIGNEE'S NAME AND ADDRESS ARE AS FOLLOWS:

Donald Kaplan  
MICHAEL MOECKER & ASSOCIATES, INC  
6861 S.W. 196<sup>th</sup> Avenue  
Suite 201-04  
Ft. Lauderdale, FL 33332  
(954) 252-1560 • (954) 252-2791 Fax No.  
Attn: Angelina Diaz

1. NAME OF CREDITOR: \_\_\_\_\_  
ADDRESS OF CREDITOR: \_\_\_\_\_  
TELEPHONE NUMBER OF CREDITOR: \_\_\_\_\_

2. BASIS FOR CLAIM:  
 Goods Sold  Wages, Salaries and Compensations  
 Services Performed  Taxes  
 Money Loaned  Customer Deposit  
 Other. \_\_\_\_\_

3. DATE DEBT WAS INCURRED: \_\_\_\_\_

4. AMOUNT OF CLAIM: \$ \_\_\_\_\_

5. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase order, invoices, itemized statement of running accounts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.

6. SIGNATURE: Sign and print name and title, if any, of the creditor or other person authorized to file this claim

DATED: \_\_\_\_\_

BY: \_\_\_\_\_  
Signature of Claimant or Representative

\_\_\_\_\_  
Print Name and Title Here



STATE OF FLORIDA

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



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

May 21, 2002

Mr. Philip Thomas, Secretary  
ITC (TJ271)  
110 East Broward Blvd., Suite 610  
Fort Lauderdale, FL 33301-3504

Dear Mr. Thomas:

The Regulatory Assessment Fee (RAF) is due by January 30<sup>th</sup> of each year for the preceding calendar year. For certificate holders, the RAF is owed even if a telecommunications company may not have started operations or had any revenues. If payment is made after the due date, then statutory penalty and interest charges are applicable.

Our records show the 2001 RAF return notice was mailed December 12, 2001, and a delinquent notice was mailed February 20, 2002. As of this date, our records do not show receipt of the RAF return or payment. A copy of the 2001 RAF return form is enclosed. In addition, our records show that you have a small past due balance, which must be paid. A breakdown is enclosed.

If full payment, including penalty and interest charges, along with the RAF return form, are not received by June 11, 2002, it is my intention to establish a docket and recommend that the Commission fine your company \$500 or cancel your certificate. Please note that once a docket has been established, **just paying the delinquent RAF amount will not prevent your certificate from being cancelled.**

If you wish to cancel your certificate voluntarily and leave in good standing with the Commission, your company should pay the past due amount in full, complete the 2001 RAF return form, either pay the 2002 RAF or provide a date certain it will be paid, and comply with the requirements of Rule 25-24.474, Florida Administrative Code, copy enclosed. Any unpaid RAFs, including penalty and interest charges, are turned over to the Comptroller's Office for collection if the Commission cancels a company's certificate on its own motion (involuntary cancellations).

If you have any questions, please contact me at (850) 413-6502-voice, (850) 413-6503-fax, at the address below, or via internet e-mail at [pisler@psc.state.fl.us](mailto:pisler@psc.state.fl.us).

Mr. Philip Thomas, Secretary  
Page 2  
May 21, 2002

Sincerely,

A handwritten signature in black ink that reads "Paula J. Isler". The signature is written in a cursive style with a large, looped initial "P".

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

## Interexchange Company Regulatory Assessment Fee Return

**STATUS:**

- Actual Return  
 Estimated Return  
 Amended Return

**PERIOD COVERED:**

01/01/2001 TO 12/31/2001

### Florida Public Service Commission

(See Filing Instructions on Back of Form)

TJ271-01-0-R  
 ITC  
 110 East Broward Blvd., Suite 610  
 Ft. Lauderdale, FL 33301-3504  
  
 CC: F. Isler

**FOR PSC USE ONLY**

Check# \_\_\_\_\_

\$ \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 003001

\$ \_\_\_\_\_ P \_\_\_\_\_  
 \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 004011

\$ \_\_\_\_\_ I \_\_\_\_\_

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

Please Complete Below If Official Mailing Address Has Changed

\_\_\_\_\_  
(Name of Company)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City/State)

\_\_\_\_\_  
(Zip)

LINE NO	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1	Long Distance Services	\$ _____	\$ _____
2	Access Services	_____	_____
3	Private Line Services	_____	_____
4	Leased Facilities & Circuits Services	_____	_____
5	Miscellaneous Services	_____	_____
6	<b>TOTAL Telephone Services</b>	\$ _____	\$ _____
7	LESS Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	( _____ )	( _____ )
8	<b>TOTAL REVENUES For Regulatory Assessment Fee Calculation</b>	_____	_____
9	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)	_____	_____
10	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
11	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
12	<b>TOTAL AMOUNT DUE</b>	_____	\$ _____

\* These amounts must be intrastate only and must be verifiable

**AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50**

#### CURRENT COMPANY STATUS

- Facilities-Based Carrier       Reseller       Call Aggregator  
 Alternate-Operator Service       Rebiller       Other \_\_\_\_\_

#### BILLING INFORMATION

Complete below if billing agent if other than yourself

\_\_\_\_\_ (Name)      \_\_\_\_\_ (Address: City/State/Zip)      \_\_\_\_\_ (Telephone)  
 What is the total amount of customer deposits collected?      What is the total amount of bond held (if applicable)?  
 Amount: \$ \_\_\_\_\_ for 19 \_\_\_\_\_      Amount: \$ \_\_\_\_\_ Expires: \_\_\_\_\_

#### COMPANY INFORMATION

Do you lease telecommunications' facilities?  YES  NO  
 If YES, who do you lease these facilities from? Name \_\_\_\_\_  
 Address: \_\_\_\_\_

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her duty shall be guilty of a misdemeanor of the second degree.

\_\_\_\_\_ (Signature of Company Official)      \_\_\_\_\_ (Title)      \_\_\_\_\_ (Date)  
 \_\_\_\_\_ (Preparer of Form - Please Print Name)      Telephone Number ( \_\_\_\_\_ )      Fax Number ( \_\_\_\_\_ )  
 F.E.I No \_\_\_\_\_

**Interglobal Telephone Company d/b/a ITC (TJ271)**  
**Certificate No. 7175, Effective 10/15/99**

<b>Year</b>	<b>Fee</b>	<b>Penalty</b>	<b>Interest</b>	<b>Notes</b>
2000	N/A	\$2.50	\$0.50	Payment was due 01/30/01. The company's payment for the RAF was postmarked 01/31/01, leaving a balance of \$3.00.
2001				Payment was due 01/30/02. Our records do not show record of payment.  NOTE: I did not include the amount due for the 2001 RAF since the amount is based on a company's total intrastate revenues. The RAF is .0015% of a company's revenues or \$50.00, whichever is greater. In addition, statutory penalty and interest charges are applicable.
<b>Total</b>	<b>N/A</b>	<b>\$2.50</b>	<b>\$0.50</b>	<b>Total: \$3.00</b>

**25-24.474 Cancellation of a Certificate.**

(1) The Commission may on its own motion cancel a company's certificate for any of the following reasons:

- (a) Violation of the terms and conditions under which the authority was originally granted.
- (b) Violation of Commission rule or order; or
- (c) Violation of Florida Statutes.

(2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request.

- (a) Statement of intent and date to pay Regulatory Assessment Fee.
- (b) Statement of why the certificate is proposed to be cancelled.
- (c) A statement on treatment of customer deposits and final bills.
- (d) Proof of individual customer notice regarding discontinuance of service.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority 350.127(2) FS

Law Implemented 350.113, 350.127(1), 364.285, 364.337, 364.345 FS

History--New 2-23-87, Amended 3-13-96

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to

TJ271 ITC  
110 East Broward Blvd., Suite 610  
Ft. Lauderdale, Florida 33301-3504

**COMPLETE THIS SECTION ON DELIVERY**

A. Received By (Please Print Clearly) B. Date of Delivery

VVO 13-7

C. Signature

X   Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below.  No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number

(Transfer from service label)

7001 2510 0007 4216 3470

FCS

**COMPANY IDENTIFICATION**

Printed on 05/20/2002 at 09:57:55 by PJI

Complete Name: Interglobal Telephone Company d/b/a ITC

Mailing Name: ITC

Company Code: TJ271

FEID Number: 65-0410306

**RAF ACCOUNT FOR THE PERIOD 01/01/2000 THROUGH 12/31/2000**

Reg. Date:	10/15/1999	Inactive Date:	
Service:	IXC - Interexchange Telephone		
Received:	Actual RAF Form		
Status:	Pending		
Amended:	No	Extension:	No
Frozen:	No	Comments:	No
Payment Count:	1 Payment Made to Date		
Operating Rev:	\$0.00	Interstate Rev:	\$0.00
RAF Rate:	0.0015	Net RAF Due:	\$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$2.50	\$0.00	\$2.50
Interest	\$0.50	\$0.00	\$0.50
Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$53.00</b>	<b>\$50.00</b>	<b>\$3.00</b>

Last modification was made on Wednesday, February 7, 2001 at 10:03 AM by Jackie Knight

Period covered:	01/01/2000 through 12/31/2000	RAF rate:	0.0015	
Operating rev:	\$0.00	Interstate rev:	\$0.00	
Documents:	Actual RAF form received on 01/31/2001 RAF form mailed on 12/05/2000			
Postmarked	Trans Date	Date Posted-By	Dep # Check #	Check Amount
01/31/2001	02/07/2001	02/07/2001-JIK	GH019 11093	\$50.00
	RAF paid		GH019	\$50.00

**COMPANY IDENTIFICATION**

Printed on 05/20/2002 at 09:58:09 by PJI

Complete Name: Interglobal Telephone Company d/b/a ITC

Mailing Name: ITC

Company Code: TJ271

FEID Number: 65-0410306

**RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001**

Reg. Date: 10/15/1999

Inactive Date:

Service: IXC - Interexchange Telephone

Received: No RAF Form

Status: Pending

Amended: No

Extension: No

Frozen: No

Comments: No

Payment Count: 0 Payments Made to Date

Operating Rev: \$0.00

Interstate Rev: \$0.00

RAF Rate:

Net RAF Due: \$0.00

Assessment	Due	Paid	Owe
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Last modification was made on Thursday, December 6, 2001 at 2:59 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001

RAF rate:

Operating rev: \$0.00 Interstate rev:

\$0.00

Documents: Delinquent letter mailed on 02/20/2002

RAF form mailed on 12/06/2001