1. Division Name/Staff Name: 2. OPR: Division of Competitive Markets & Enforcement/Isler 3. OCR: Office of the General Counsel 4. Suggested Docket Title: Cancellation by Florida Public Service Commission of ALEC Certificate No. 5776 issued to 2 nd Century Communications, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. 5. Suggested Docket Mailing List (attach separate sheet if necessary) A. Provide NAMES OR ACRONYMS ONLY if a regulated company. B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.) 1. Parties and their representatives (if any): 2. Interested persons and their representatives (if any): 6. Check one: XX Documentation is attached. Documentation will be provided with recommendation.	REQUEST TO ESTABLISH DOCKET ORIGINAL (Please Type)			
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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

Hublic Service Commission

April 24, 2002

Mr. Michael Reith, Director/Regulatory 2nd Century Communications, Inc. (TX262) 4630 Woodland Corporate Blvd., #100 Tampa, FL 33614-2415

Dear Mr. Reith:

The Regulatory Assessment Fee (RAF) is due by January 30th 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 attached.

If full payment, including penalty and interest charges, along with the RAF return form, are not received by May 15, 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 25-24.820, Florida Administrative Code, copy attached. 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.

PSC Website: http://www.floridapsc.com

Mr. Michael Reith, Director/Regulatory Page 2 April 24, 2002

Sincerely,

Paula J. Isler, Research Assistant Bureau of Service Quality

Enclosures

TO AVOID RENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE 01/30/2002

Alternative Local Exchange Company Regulatory Assessment Fee Return

STATUS:		ervice Commission	FOR PSC USE ONLY Check#
Actual Return Estimated Return Amended Return PERIOD COVERED: 01/01/2001 TO 12/31/2001	TX262-01-0-R 2nd Century Communic 4630 Woodland Corpor Tampa, FL 33614-241	cations, Inc. rate Blvd., #100	\$0603006 003001 \$P 0603006 004011 \$I Postmark Date
	Please Complete Below If C	Official Mailing Address Has Changed	
(Name of Company)		(Address)	(City/State) (Zip)
 9. Net Intrastate Operating Revenu 10. Regulatory Assessment Fee Due 11. Penalty for Late Payment (see "3 12. Interest for Late Payment (see "3 13. TOTAL AMOUNT DUE These amounts must be intrastate only Other long distance revenue must be list 	TA only)** Vices Celecommunications Companies* (see e for Regulatory Assessment Fee Calc (Multiply Line 9 by 0.0015) E. Failure to File by Due Date" on back for the file by Due Date on back and must be verifiable. The file on the Interexchange Regulatory Actions in the Interexchang	culation (Line 7 less Line 8) k)	INTRASTATE REVENUE \$ \$ \$ NNUAL FEE IS \$50
() Facilities-Based Provider	CURRENT () Reselle () Other:	COMPANY STATUS	
Complete below if billing agent if other that		G INFORMATION (Address: City/State/Zip)	(
Do you lease telecommunications' facilities' If YES, who do you lease these facilities fro	? ()YES ()NO m? Name:	NY INFORMATION	
I, the undersigned owner/officer of the strue and correct statement. I am aware that public servant in the performance of his/her	pursuant to Section 837.06, Florida S	tatutes, whoever knowingly makes a false sta	knowledge and belief the above information is a stement in writing with the intent to mislead a
(Signature of Compa	ny Official)	(Title)	(Date)
(Preparer of Form - Pleas	e Print Name)	Telephone Number () F.E.I. No.	Fax Number ()

25-24.820 Revocation of a Certificate.

- (1) The Commission may on its own motion, after notice and opportunity for hearing, revoke a company's certificate for any of the following reasons:
 - (a) Violation of a term or condition under which the authority was originally granted;
 - (b) Violation of Commission rule or order;
 - (c) Violation of Florida Statute; or
 - (d) Violation of a price list standard.
- (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. Cancellation of a certificate shall be ordered subject to the holder providing the required information.
 - (a) A statement of intent and date certain to pay regulatory assessment fee.
 - (b) A statement of why the certificate is proposed to be cancelled.
 - (c) A statement as to how customer deposits and final bills will be handled.
 - (d) Proof of individual customer notice regarding discontinuance of service.

Specific Authority: 350.127(2), F.S. Law Implemented: 364.335, 364.345, F.S.

History: New 12/26/95.

SENDER: COMPLETE THIS	SECTION	COMPLETE THIS SECTION ON DELIVERY
item 4 if Restricted Delivery is desired.		A. Received by (Please Print Clearly) B. Date of Delivery M. J. M. J.
Article Addressed to:		D. Is delivery/address different from item 1?
TX262 2nd Century Co	roto Divid #100	
4630 Woodland Corpo Tampa, Florida 33614		3. Service Type ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise
4630 Woodland Corpo		☐ Certified Mail ☐ Express Mail
4630 Woodland Corpo Tampa, Florida 33614		☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise
4630 Woodland Corpo Tampa, Florida 33614	-2415	☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
4630 Woodland Corpor Tampa, Florida 33614-	7001 2510 O	☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes

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State of Florida



Public Service Commission

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

DATE: August 6, 2001

TO: Division of Regulatory Oversight (J. Gilchrist)

Division of Competitive Services (J. Wilson, R. Kennedy)

FROM: Division of Regulatory Oversight (D. Vandiver)

RE: 2000 RAF

One of the random audits we pulled for the 2000 RAF was for 2nd Century Communications, Inc. (TX262) The company reported intrastate revenues of \$110,601.03 and paid regulatory assessment fees of \$165.90. The staff auditor attempted to contact the company and was directed by a recorded message to call another phone number. At that phone number was a recorded message that "2nd Century has discontinued operations as of June 30th and is in the process of liquidating its assets through a bankruptcy filing." The message further directed callers to another extension. The auditor never reached a live person at this number nor at any other numbers listed on the company's website. Attached to this memo is a summary memo from the auditor as well as a print out of the company website and two news articles regarding the company closing and the auction of the company's assets. I am forwarding these items for your information.

State of Florida



TAMPA DISTRICT OFFICE 4950 E. KENNEDY BLVD SUITE 310 TAMPA, FLORIDA 33609 (813)356-1444 Fax No. (813) 356-1429

Public Service Commission

Date:

July 23, 2001

To:

Denise Vandiver, Chief of Auditing Services Division of Regulatory Oversight, TAllahassee

From:

Jocelyn Y. Stephens, Regulatory Analyst IV,

Division of Regulatory Oversight Tampa

RE:

2nd Century Communications, Inc.

RAF Compliance Review

Audit Control No. 01-113-2-1

On July 17, 2001, an attempt was made to contact company liaison of 2nd Century Communications, for the purpose of performing a review of the 2000 revenues, resulting from Alternative Local Exchange service, used to compute the Regulatory Assessment Fee.

A recording on the telephone number provided (813-935-8866) directed callers to another telephone number - (813-901-1901). A message at the new number informed callers that: "2nd Century has discontinued operations as of June 30th and is in the process of liquidating its assets through a bankruptcy filing. If you have any questions you may dial extension 1612 at this time."

I dialed extension 1612 on three separate occasions but always received the message that 'no one was available to take the call'.

A visit to 2nd Century's web site revealed no current information for 2001 (See Attachment 1). I dialed all telephone numbers for all locations and sales offices but only received busy signals. (See Attachment 2). I have included some information from the web site regarding developments at the company in 2000. (See Attachements 3 and 4).

It appears that the review of the RAF filing for 2nd Century is a moot issue at this point. If you wish for any further investigations into this matter, please let me know.



Attachment 2

Service Areas

Back

Locations		
11921 Rockville Pike, Suite 500 Rockville, MD 20852	Operations Center 4630 Woodland Corporate Blvd. Suite 100 Tampa, FL 33614 Phone: 813.901.1901 Fax: 813.901.1910	

Sales Offices	
Atlanta Dave Herman, General Mgr. 10 Glenlake Pkwy. Suite 445 Atlanta, GA 30328 Phone: 770.512.7026 Fax: 770.512.8352	Houston Marsha Sweeney, General Mgr 3050 Post Oak Blvd. Suite 1710 Houston, TX 77056 Phone: 713.961.9100 Fax: 713.961.9103
Miami (South Florida) Aurelio Noya, General Mgr 5301 Blue Lagoon Dr. Suite 570 Miami, FL 33126 Phone: 786.388.0041 Fax: 786.388.0043	Tampa 3550 Buschwood Park Dr. Suite 190 Tampa, FL 33618 Phone: 813.901.1700 Fax: 813.930.8877

Contact Us

Corporate

Communications

Phone: 813.901.1901 Fax: 813.901.1664 E-mail: <u>info@2c2.com</u>

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<u>Privacy Policy</u> and <u>Terms of Use</u>

Telecom fallout hits 2nd Century

St. Petersburg Times; St. Petersburg, Fla.; May 2, 2001; KRIS HUNDLEY;

Sic:513340Duns:06-707-0524

Sub Title: [SOUTH PINELLAS Edition]

Start Page: 1E

Companies: Century Communications CorpTicker: CTYDuns: 06-707-0524Sic: 513340

Abstract:

Once a fast-rising local success story, 2nd Century ran out of cash after burning through \$175-million in less than three years. While the job losses are just the latest fallout of the economic slowdown, 2nd Century's local workers were better off than the average Tampa Bay area employee: The average salary at the Tampa network operations center was \$65,000 a year.

[Oscar Williams] and three former colleagues at Intermedia Communications Inc. started 2nd Century in 1998 with the idea of replicating Intermedia's infrastructure and service at a lower cost. But Williams and Mike Viren, a co-founder, said major investors pushed the company to move into multiple markets before making a profit in any of them.

Last summer, 2nd Century was in 28 markets with 500 employees. In September, the company ran out of money. Sales couldn't match investors' ambition: 2nd Century never had more than 300 customers nationwide.

Full Text:

Copyright Times Publishing Co. May 2, 2001

Two weeks after warning employees that the end was near, 2nd Century Communications Inc. shut its doors Tuesday, putting 121 people out of work.

Eighty-seven employees in Tampa and 34 in four other cities were given pink slips by the telecom company. 2nd Century, which was started in Tampa in 1998 and relocated its headquarters to suburban Washington a year ago, offered local, long-distance and Internet access to businesses. A handful of workers will be retained to maintain services temporarily while customers find new carriers.

Once a fast-rising local success story, 2nd Century ran out of cash after burning through \$175-million in less than three years. While the job losses are just the latest fallout of the economic slowdown, 2nd Century's local workers were better off than the average Tampa Bay area employee: The average salary at the Tampa network operations center was \$65,000 a year.

"It's going to be very difficult for those people to find comparable jobs in this area," said 2nd Century founder Oscar Williams, who left the company in August 1999. "These are highly trained technical people with good skills, and economically, Tampa needs these jobs. But the market is not here."

Williams and three former colleagues at Intermedia Communications Inc. started 2nd Century in 1998 with the idea of replicating Intermedia's infrastructure and service at a lower cost. But Williams and Mike Viren, a co-founder, said major investors pushed the company to move into multiple markets before making a profit in any of them.

"We wanted to grow the company slowly, using revenues gained in one market to open another," said Viren, who left 2nd Century in early 2000. "But the investors said the way to please Wall Street was by having a big base, even though you have a fragile infrastructure. All they were doing was growing the footprint; they were barely able to provide even the basic service."

Last summer, 2nd Century was in 28 markets with 500 employees. In September, the company ran out of money. Sales couldn't match investors' ambition: 2nd Century never had more than 300 customers nationwide.

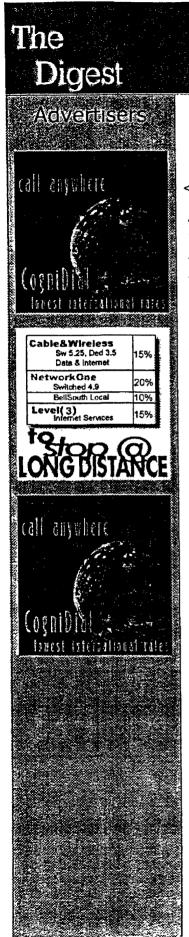
Joe Tedino, spokesman for the company now based in Rockville, Md., said workers would receive severance pay of up to 12 weeks' earnings.

"The decision to close was very painful to make," he said. "Like many companies, we were faced with trying to raise additional capital, and we were unable to do that."

Viren, who now runs a venture capital company with Williams in Tampa, said he was sorry to see his disastrous predictions come true.

"The four founders still own about one-eighth of the company," he said. "But this is an awful way to say I told you so."

- Kris Hundley can be reached at hundley@sptimes.com or (727) 892-2996.



Telecom News

Cognigen.com

Rates as low as 9

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The Internet's Long Distance Company

<< Back To Current Issue

Auction of 2nd Century Assets

Source: St. Petersburg Times

Tampa, FL, June 1, 2001 (The Digest) - To Jim Stapleton, 2nd Century Communications was a furniture salesman's dream.

In just two years, the fast-growing Internet and telephone services company bought nearly \$2-million in high-end chairs and cubicles from him. When company executives met weekly to decide which state to expand into next, he was always there, Krispy Kreme doughnuts in tow.

That, of course, was before the tech bubble burst. At an auction of some of 2nd Century's assets Thursday, Stapleton was reduced to buttonholing buyers and offering to have their used cubicles broken down, shipped and reassembled for a price. He said the failed telecom company still owes Herman Miller Inc. over \$300,000, including his commissions.

"We're not going to see a penny," he grumbled.

About 500 people turned out to pick through the remains of 2nd Century, a one-time local success story that burned through \$175-million of investors' money and won't live to see its third birthday. It was a local version of the clearance sales that have become a near ritual among the dot-coms and tech start-ups of Silicon Valley.

Included in the crowd at 2nd Century's soon-to-be abandoned offices on Woodland Corporate Boulevard were a mix of serious bidders, rubber-neckers, eBay devotees curious about auctions, and flea market fans hoping to find gold where others saw dust.

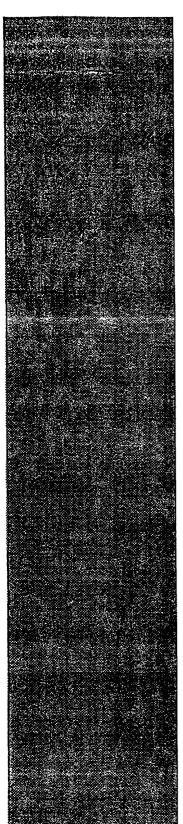
Al Trujillo, a ponytailed electrician and the vice president of Tamco Electric Inc., and a burly co-worker barrelled through 2nd Century's tony offices in search of what he called "the president's desk."

"When you start bidding against somebody," Trujillo said, "you stare 'em down. Bullets."

Jason Fowler, a 22-year-old student and Visa employee accompanied by his grandmother, hoped to buy a chair, monitor and maybe computer for his home. As an eBay addict, a live auction was an intriguing, if bewildering, new idea. "You really want to see with your hands and your eyes," he said.

Mike and Donna Stoever, who own Mike's Garage in Tampa, hoped to buy equipment that would let customers watch their mechanics live on the Internet. "I just want to spend between 20 percent and 30 percent on the dollar," said Mike, a regular bidder at federal auctions. "Then if I decide I don't want it, I can recoup my money."

Chris Dawes is one of about half a dozen ex-2nd Century employees at the



auction. Some are there mostly to reminisce. But Dawes' new employer, Comworxx, needs infrastructure, and Dawes -- who was responsible for the purchase of nearly all the equipment here and knows what it cost -- is determined to buy it.

Shortly after 10 a.m., the first item being auctioned goes up for sale, and it's not exactly an eye-popper: a Sharp microwave, presumably from 2nd Century's employee kitchen. It sells for \$70.

The auction proceeds in classic onehundred-bidda-doihearone-twentyfive-bidda fashion. Auctioneer Chris Rasmus stands on a file cabinet to be seen above the cubicles, throwing in a joke here or there to enliven the bidding on more than 1,000 chairs, cubicles, laptops, phones, servers, refrigerators, even artwork.

Offering an eight-person speakerphone, he says, "You don't have to use it. Just put it on the table, it looks cool." There are some bargains. Dawes lands a telephone system suitable for a medium-sized office for \$4,500. Co-worker Jim Frissell confides they paid one-third of the list price.

But others find the bidding too rich. Stapleton, the furniture salesman, is dumbfounded to hear that two dozen Herman Miller chairs went for \$300 apiece, about the same price 2nd Century paid for them. Trujillo, the electrician, points out that three printers that sold for \$1,200 apiece are discontinued items and available retail for about \$1,000.

"You can buy 'em cheaper and with a warranty," said Stoever, shaking his head.

Before long, many of those who came just to see the spectacle or had hoped to buy a laptop for \$50 begin heading for the door. "About 60 percent of the people here can't play," said Sherman Bryan, a freelance photographer for an Orlando music magazine. "This is for the big boys."

Bidder Jim Tackenberg, who owns Distinctive Kitchen Appliances of Tampa, can't help thinking about the former 2nd Century employees whose possessions they're fingering.

"They were trying to run a business. They thought they had one," he said. "Bada bing, bada boom."

To see more of the St. Petersburg Times, or to subscribe to the newspaper, go to http://www.sptimes.com

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MCD Company Information for TX262

Printed on 06/25/2002 at 09:25:27 by PJI

Company Code:

TX262

Company Name:

2nd Century Communications, Inc.

Certificate No(s): Status:

5776 Active 02/02/1999

Regulation Date:

Bankruptev:

Company Liaison #1: Title:

Michael Reith

Mailing Address:

Director - Reg. & Industry Relations 4630 Woodland Corporate Blvd., #100

Tampa, FL 33614-2415

Physical Location:

4630 Woodland Corporate Blvd., #100

Tampa, FL 33614-2415 (813) 935-8866

Phone: Fax:

(813) 901-1963

Related Dockets:

981348-TX

Application for certificate to provide alternative local exchange telecommunications service by 2nd Century Communications, Inc.

990890-TP

Request by BellSouth Telecommunications, Inc. for approval of interconnection, unbundling, and resale agreement with 2nd

Century Communications, Inc.

990977-TP

Notice by Sprint-Florida, Incorporated of adoption of an approved interconnection, unbundling, and resale agreement between Sprint-Florida, Incorporated and ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom by 2nd Century Communications, Inc.

000188-TP

Request by Vista-United Telecommunications for approval of interim traffic termination and billing agreement with 2nd

Century Communications, Inc.

000858-TP

Request by BellSouth Telecommunications, Inc. for approval of amendment to existing interconnection, unbundling, and resale agreement with 2nd Century Communications, Inc.

001080-TP

Petition by Verizon Florida Inc. (f/k/a GTE Florida Incorporated) for adoption of an approved interconnection, unbundling, and resale agreement between GTE Florida Incorporated and Parcom Communications Incorporated by 2nd Century Communications, Inc.

001774-TP

Notice of adoption of approved interconnection and resale

agreement between Sprint-Florida, Incorporated and DIECA Communications, Inc. d/b/a Covad Communications Company by 2nd

Century Communications, Inc.

011405-TX

Compliance investigation of 2nd Century Communications, Inc. for apparent violation of Section 364.183(1), F.S., Access to Company

Records.

COMPANY IDENTIFICATION

Printed on 04/23/2002 at 16:31:10 by PJI

Complete Name: 2nd Century Communications, Inc.

Mailing Name: 2nd Century Communications, Inc.

FEID Number: 59-3520645 Company Code: TX262

RAF ACCOUNT FOR THE PERIOD 01/01/1999 THROUGH 12/31/1999

Reg. Date:

02/02/1999

Inactive Date:

Service:

ALX - Alternative Local Exchange

Received:

Actual RAF Form

Status:

Pending

Amended:

No

Extension:

No

Frozen:

No

Comments:

No

Payment Count: 1 Payment Made to Date Operating Rev:

\$24,084.33

Interstate Rev:

\$0.00

RAF Rate:

0.0015

Net RAF Due:

\$50.00

Assessment	Due	Paid	0we
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
Total	\$53.00	\$50.00	\$3.00

Last modification was made on Tuesday, December 5, 2000 at 8:42 AM by Jackie Knight

Period covered: 01/01/1999 through 12/31/1999

RAF rate: 0.0015

Operating rev: \$24,084.33 Gross intrastate rev:

\$0.00

Check Amount

Documents: Actual RAF form received on 02/02/2000

RAF form mailed on 12/02/1999

Postmarked Trans Date Date Posted-By Dep # Check # 02/02/2000 02/23/2000 02/23/2000-JIK FH243 5568

\$50.00

RAF paid

FH243

\$50.00

COMPANY IDENTIFICATION

Printed on 04/23/2002 at 16:31:29 by PJI

Complete Name: 2nd Century Communications, Inc.

Mailing Name: 2nd Century Communications, Inc.

Company Code: TX262 FEID Number: 59-3520645

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

Reg. Date:

02/02/1999

Inactive Date:

Service:

ALX - Alternative Local Exchange

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
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Thursday, December 6, 2001 at 2:35 PM by Jackie Knight

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

Operating rev:

\$0.00 Gross intrastate rev:

\$0.00

RAF rate:

Documents: Delinquent letter mailed on 02/20/2002

RAF form mailed on 12/06/2001