

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date June 25, 2002 Docket No. 020572-TX

1. Division Name/Staff Name: Division of Competitive Markets & Enforcement/Isler

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. 6063 issued to Netcon Telcom, 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):

Table with 2 columns for mailing list entries.

2. Interested persons and their representatives (if any):

6. Check one:
XX Documentation is attached.
Documentation will be provided with recommendation.

DOCUMENT NUMBER DATE

06539 JUN 25 08

FPSC-COMMISSIONER CLERK

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 1, 2002

Mr. Jaime Bozza, President  
Netcon Telcom, Inc. (TX272)  
PO Box 305  
Fort Walton Beach, FL 32549-0305

Dear Mr. Bozza:

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 attached.

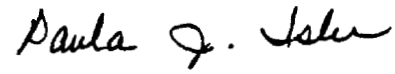
If full payment, including penalty and interest charges, along with the RAF return form, are not received by May 22, 2002, it is my intention to establish a docket and recommend that the Commission fine your company \$500 or cancel your certificate. Please note that once a docket has been established, **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](mailto:pisler@psc.state.fl.us).

Mr. Jaime Bozza, President  
Page 2  
May 1, 2002

Sincerely,

A handwritten signature in black ink that reads "Paula J. Isler". The signature is written in a cursive style with a large initial 'P' and a distinct 'I'.

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

# Alternative Local Exchange 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)

TX272-01-0-R  
 Netcon Telcom, Inc.  
 P. O. Box 305  
 Ft. Walton Beach, FL 32549-0305

cc: P. Isler

**FOR PSC USE ONLY**

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

\$ \_\_\_\_\_ 0603006  
 \_\_\_\_\_ 003001

\$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603006  
 \_\_\_\_\_ 004011

\$ \_\_\_\_\_ 1

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.	Basic Local Services	\$ _____	\$ _____
2.	Long Distance Services (IntraLATA only)**	_____	_____
3.	Access Services	_____	_____
4.	Private Line Services	_____	_____
5.	Leased Facilities & Circuits Services	_____	_____
6.	Miscellaneous Services	_____	_____
7.	<b>TOTAL REVENUES</b>		\$ _____
8.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)		_____
9.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		_____
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015)		_____
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	
13.	<b>TOTAL AMOUNT DUE</b>		\$ _____

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

\*\* Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.

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

### CURRENT COMPANY STATUS

Facilities-Based Provider

Reseller

Other: \_\_\_\_\_

### BILLING INFORMATION

Complete below if billing agent if other than yourself.

\_\_\_\_\_  
 (Name)

\_\_\_\_\_  
 (Address: City/State/Zip)

( ) \_\_\_\_\_  
 (Telephone)

### COMPANY INFORMATION

Do you lease telecommunications' facilities?  YES  NO

If YES, who do you lease these facilities from? Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
 (Signature of Company Official)

\_\_\_\_\_  
 (Title)

\_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 (Preparer of Form - Please Print Name)

\_\_\_\_\_  
 Telephone Number ( )

\_\_\_\_\_  
 Fax Number ( )

F.E.I. No. \_\_\_\_\_

**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 canceled.
- (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) FS.  
Law Implemented 364.335, 364.345 FS.  
History--New 12-27-95.

Netcon Telcom, Inc. (TX272)  
 Certificate No. 6063, Effective 04/17/99

Year	Fee	Penalty	Interest	Notes
2000	\$22.70	\$7.98	\$1.61	Payment was due 01/30/01. The company's payment in the amount of \$27.30 RAF was postmarked 01/16/01, leaving a RAF, penalty and interest balance of \$32.29.
<b>Total</b>	<b>\$22.70</b>	<b>\$7.98</b>	<b>\$1.61</b>	<p><b>Total: \$32.29</b></p> <p><b>NOTE: The 2001 RAF, plus penalty and interest, is <u>not</u> included in this total because I did not know the amount of the company's 2001 revenues. The RAF is .0015% of a company's intrastate revenues, or \$50.00, whichever is greater. In addition, if the RAF is paid after the due date (January 30, 2002), then statutory penalty and interest charges are applicable.</b></p>

State of Florida  
**Public Service Commission**

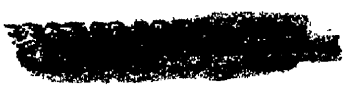
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**CERTIFIED MAIL**

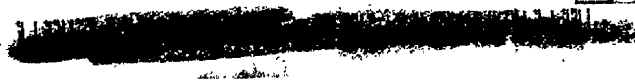


7001 2510 0007 4216 1803

RETURNED TO SENDER  
**UNCLAIMED**

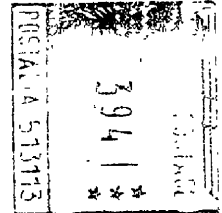


RETURNED TO SENDER  
**UNCLAIMED**



COMMISSION OF  
COMPETITIVE SERVICES

2002 APR - 1 AM 11: 22



STATE OF FLORIDA

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



OFFICE OF GENERAL COUNSEL  
HAROLD A. MCLEAN  
(850) 413-6199

## Public Service Commission

February 20, 2002

TX272-01-0-D  
Netcon Telcom, Inc.  
P. O. Box 305  
Ft. Walton Beach, FL 32549-0305

Dear Certificate Holder:

The Division of the Commission's Clerk and Administrative Services has forwarded your account to our office to address the nonpayment of the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 2001, which was due January 30, 2002. The RAFs return form was mailed to you on **December 15, 2001**, and to date, Commission records reflect that payment has not been received.

According to Florida Law, you are required to add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof, beyond the due date, up to a maximum of 25% in addition to the delinquent amount due. In addition, pursuant to Section 364.285, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each offense, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 364.

Utilities are charged with knowledge of our rules and statutes. Moreover, it is general Commission practice that all utilities that apply for **Alternative Local Exchange** certificate receive a copy of all applicable rules. Further, in accordance with Section 364.335, Florida Statutes, as part of the application process, utilities provide an affidavit indicating that they have read and understood the applicable rules.

If you wish to request another form, please contact Jackie Knight at the number below. The payment should be identified with the company code and the company's name. Failure to provide payment within 15 days of this notice will result in the establishment of a docket to address your failure to return the RAFs form and pay RAFs in accordance with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. As specified above, pursuant to Section 364.285, Florida Statutes, the Commission may impose a fine or cancel your telecommunications certificate. Therefore, it is important that you address this matter now.

If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions concerning this letter please contact **Jackie Knight** at (850) 413-6267 or via Internet e-mail at [jknight@psc.state.fl.us](mailto:jknight@psc.state.fl.us).

Sincerely,

**Harold McLean**  
General Counsel

KMP  
Enclosure

cc: Jackie Knight, Bureau of Administrative Services/Fiscal Services Section



## MCD Company Information for TX272

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

Company Code: TX272  
Company Name: Netcon Telecom, Inc.  
Certificate No(s): 6063  
Status: Active  
Regulation Date: 04/17/1999  
Bankruptcy: No  
Company Liaison #1: Jaime Bozza  
Title: President  
Mailing Address: P. O. Box 305

Physical Location: Ft. Walton Beach, FL 32549-0305  
726 Eglin Parkway N.E., Unit 12D

Phone: Ft. Walton Beach, FL 32547-2563  
(850) 864-5012  
Fax:

### Related Dockets:

981871-TX Application for certificate to provide alternative local exchange telecommunications service by Netcon Telecom, Inc.

990170-TP Notice of adoption by Netcon Telecom, Inc. of interconnection, unbundling, and resale agreement entered into by and between Sprint-Florida, Incorporated and MCImetro Access Transmission Services LLC and approved by the Florida Public Service Commission on May 20, 1997.

990208-TP Request by BellSouth Telecommunications, Inc. for approval of interconnection, unbundling, and resale agreement with Netcon Telecom, Inc.

**COMPANY IDENTIFICATION**

Printed on 04/26/2002 at 16:16:55 by PJI

Complete Name: Netcon Telcom, Inc.

Mailing Name: Netcon Telcom, Inc.

Company Code: TX272                      FEID Number: 59-3543694

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

Reg. Date: 04/17/1999                      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:                      \$18,200.00                      Interstate Rev:                      \$0.00  
 RAF Rate: 0.0015                      Net RAF Due:                      \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$27.30	\$22.70
Penalty	\$7.98	\$0.00	\$7.98
Interest	\$1.61	\$0.00	\$1.61
Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$59.59</b>	<b>\$27.30</b>	<b>\$32.29</b>

Last modification was made on Monday, January 22, 2001 at 10:29 AM by Jackie Knight

Period covered: 01/01/2000 through 12/31/2000                      RAF rate: 0.0015  
 Operating rev:                      \$18,200.00                      Gross intrastate rev:                      \$0.00  
 Documents: Actual RAF form received on 01/16/2001  
                     RAF form mailed on 12/05/2000

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
06/13/2001	06/13/2001	06/13/2001-DOC			\$0.00
		Penalty paid			\$0.00
		Penalty paid			\$0.00
		Penalty paid			\$0.00
		Penalty paid			\$0.00
		Interest paid			\$0.00
		Interest paid			\$0.00
		Interest paid			\$0.00
		Interest paid			\$0.00
01/16/2001	01/22/2001	01/22/2001-JIK	GG007	2014	\$27.30
		RAF paid	GG007		\$27.30

**COMPANY IDENTIFICATION**

Printed on 04/26/2002 at 16:17:09 by PJI

Complete Name: Netcon Telcom, Inc.

Mailing Name: Netcon Telcom, Inc.

Company Code: TX272                      FEID Number: 59-3543694

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

Reg. Date: 04/17/1999                      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
<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 2:38 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001                      RAF rate:  
 Operating rev:                      \$0.00                      Gross intrastate rev:                      \$0.00  
 Documents: Delinquent letter mailed on 02/20/2002  
                     RAF form mailed on 12/06/2001