

ORIGINAL

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date **June 25, 2002** Docket No. **020574-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. 7033 issued to BlueStar Networks, 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:
 Documentation is attached.
 Documentation will be provided with recommendation.

PSC\CCA010-C (Rev 10/01)

DOCUMENT NUMBER 06541

JUN 25 2002

FPSC-COMMISSION 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. M. Perz, Treasurer
BlueStar Networks, Inc. (TX304)
4250 Burton Drive
Santa Clara, CA 95054-1511

Dear Mr. Perz:

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 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.

Mr. M. Perz, Treasurer
Page 2
May 1, 2002

Sincerely,

Handwritten signature of Paula J. Isler in cursive script.

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)

TX304-01-0-R
 BlueStar Networks, Inc.
 4250 Burton Drive
 Santa Clara, CA 95054-1511

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.	TOTAL REVENUES		\$ _____
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.	TOTAL AMOUNT DUE		\$ _____

* 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: _____

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. _____

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.

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:

TX304 Blue Star Networks, Inc.
4250 Burton Drive
Santa Clara, California 95054-1511

COMPLETE THIS SECTION ON DELIVERY

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

A. Freitas

26 FEB 2002

C. Signature

X *A. Freitas*
 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 lab)

7001 2510 0007 6217 1769

FSS

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

MCD Company Information for TX304

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

Company Code: TX304
Company Name: BlueStar Networks, Inc.
Certificate No(s): 7033
Status: Active
Regulation Date: 06/25/1999
Bankruptcy: No
Company Liaison #1: M. Perz
Title: Treasurer
Mailing Address: 4250 Burton Drive

Physical Location: Santa Clara, CA 95054-1511
% Vicki G. Kaufman, McWirter Reeves
117 South Gadsden Street
Tallahassee, FL 32301-1525

Phone:
Fax:

Related Dockets:

990463-TX Application for certificate to provide alternative local exchange telecommunications service by BlueStar Networks, Inc.

991106-TP Notice by GTE Florida Incorporated of adoption of an approved interconnection agreement between AT&T Communications of the Southern States, Inc. and GTE Florida Incorporated by BlueStar Networks, Inc.

991114-TP Notice by BellSouth Telecommunications, Inc. of adoption of an approved interconnection, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and American Communication Services of Jacksonville, Inc. d/b/a e.spire Communications, Inc. by BlueStar Networks, Inc.

991397-TP Request by BellSouth Telecommunications, Inc. for approval of amendment to interconnection, unbundling, and resale agreement with BlueStar Networks, Inc.

991405-TP Complaint and/or petition for arbitration by BlueStar Networks, Inc. against BellSouth Telecommunications, Inc. for failure to provide collocation in a reasonable period of time, and demand for relief.

991469-TP Request by BellSouth Telecommunications, Inc. for approval of collocation agreement with BlueStar Networks, Inc.

991707-TP Request for approval of amendment to interconnection, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and BlueStar Networks, Inc.

991749-TP Petition by GTE Florida Incorporated for approval of amendment to interconnection agreement with BlueStar Networks, Inc.

991838-TP Petition by BlueStar Networks, Inc. for arbitration of certain unresolved issues in interconnection negotiations with BellSouth Telecommunications, Inc.

000056-TP Request by BellSouth Telecommunications, Inc. for approval of interconnection, unbundling, resale, and collocation agreement with BlueStar Networks, Inc.

MCD Company Information for TX304

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

000174-TP Request for approval of amendment to existing interconnection, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and BlueStar Networks, Inc.

000357-TP Request by BellSouth Telecommunications, Inc. for approval of amendment to existing interconnection, unbundling, and resale agreement with BlueStar Networks, Inc.

000556-TP Request for approval of amendment to interconnection, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and BlueStar Networks, Inc.

000802-TX Joint application for approval of transfer of control of BlueStar Networks, Inc. (holder of ALEC Certificate No. 7033), subsidiary of BlueStar Communications Group, Inc., to Covad Communications Group, Inc., parent company of DIECA Communications, Inc. d/b/a Covad Communications Company (holder of ALEC Certificate No. 5719).

001369-TP Request for approval of amendment to existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and BlueStar Networks, Inc.

001520-TP Request by Sprint-Florida, Incorporated for adoption of an approved interconnection and resale agreement between Sprint-Florida Incorporated and Dieca Communications, Inc. d/b/a Covad Communications Company, Inc. by BlueStar Networks, Inc.

001578-TP Request by BellSouth Telecommunications, Inc. for approval of amendment to existing interconnection, unbundling, resale, and collocation agreement with BlueStar Networks, Inc.

001670-TP Request by BellSouth Telecommunications, Inc. for approval of amendment to existing interconnection, unbundling, resale, and collocation agreement with BlueStar Networks, Inc.

010061-TP Request by BellSouth Telecommunications, Inc. for approval of amendment to existing interconnection, unbundling, resale, and collocation agreement with BlueStar Networks, Inc.

010227-TP Request by BellSouth Telecommunications, Inc. for approval of amendment to existing interconnection, unbundling, resale, and collocation agreement with BlueStar Networks, Inc.

011415-TX Compliance investigation of BlueStar Networks, Inc. for apparent violation of Section 364.183(1), F.S., Access to Company Records.

COMPANY IDENTIFICATION

Printed on 04/26/2002 at 16:20:19 by PJI

Complete Name: BlueStar Networks, Inc.

Mailing Name: BlueStar Networks, Inc.

Company Code: TX304 FEID Number: 62-1761547

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

Reg. Date: 06/25/1999 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 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