

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date	June 27, 2002	Docket No.	020601-TX
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1. Division Name/Staff Name:	Division of Competitive Markets & Enforcement/Isler
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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. 7653 issued to Eureka Telecom, L.L.C. 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:
<input checked="" type="checkbox"/> Documentation is attached.
<input type="checkbox"/> Documentation will be provided with recommendation.

STATE OF FLORIDA

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



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

Public Service Commission

May 6, 2002

Mr. David Ellen, Executive VP
Eureka Telecom, L.L.C. (TX508)
270 Madison Avenue, 6th Floor
New York, NY 10016-0601

Dear Mr. Ellen:

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.

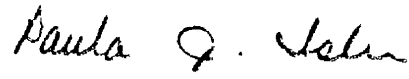
If full payment, including penalty and interest charges, along with the RAF return form, are not received by May 28, 2002, it is my intention to establish a docket and recommend that the Commission fine your company \$500 or cancel your certificate. Please note that once a docket has been established, **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. David Ellen, Executive VP
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May 6, 2002

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler".

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)

TX508-01-0-R
Eureka Telecom, L.L.C.
270 Madison Avenue, 6th Floor
New York, NY 10016-0601

cc: S. J. Siler

FOR PSC USE ONLY

Check # _____
\$ _____ 0603006
003001
\$ _____ P
0603006
004011
\$ _____ J
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 12-27-94

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

TX508 Eureka Telecom, L L C
270 Madison Avenue, 6th Floor
New York, New York 10016-0601

H/E

2. Article
(Transaction)

PS Form

COMPLETE THIS SECTION ON DELIVERY

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

H. Grivity

C. Signature

X H. Grivity

- 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

VCS

102595-01-M-1424

MCD Company Information for TX508

Printed on 06/26/2002 at 09:10:44 by PJI

Company Code: TX508
Complete Name: Eureka Telecom, L.L.C.
Mailing Name: Eureka Telecom, L.L.C.
Certificate No(s): 7653
Status: Active
Regulation Date: 12/11/2000
Bankruptcy: No
Company Liaison #1: David Ellen
Title: Executive V.P. & General Counsel
Mailing Address: 270 Madison Avenue, 6th Floor

Physical Location: New York, NY 10016-0601
800 West Cypress Creek Road, Suite 410

Phone: Ft. Lauderdale, FL 33309-2058
(212) 404-5005
Fax: (212) 404-5199

Related Dockets:

001200-TX Application for certificate to provide alternative local exchange telecommunications service by Eureka Telecom, L.L.C.

010321-TP Petition by Verizon Florida Inc. for approval of resale agreement with Eureka Telecom, L.L.C.

011472-TX Compliance investigation of Eureka Telecom, L.L.C. for apparent violation of Section 364.183(1), F.S., Access to Company Records.

COMPANY IDENTIFICATION

Printed on 04/26/2002 at 16:34:28 by PJI

Complete Name: Eureka Telecom, L.L.C.

Mailing Name: Eureka Telecom, L.L.C.

Company Code: TX508 FEID Number: 52-2247045

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

Reg. Date: 12/11/2000 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 2:36 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