

REQUEST TO ESTABLISH DOCKET
(Please Type)

ORIGINAL

Date	June 28, 2002	Docket No.	020629-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. 7789 issued to Zephion Networks Communications, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies and 25-24.835, F.A.C., Rules Incorporated.

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-DATE
06744 JUN 28 8
FPSC-COMMISSION CLERK



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: May 9, 2002
TO: Paula Isler, Division of Competitive Services
FROM: Sandy Moses, Division of the Commission Clerk and Administrative Services *SM*
RE: Returned Mail – Zephion Networks Communications, Inc. (Company Codes TJ 498 and TX 558)

Mail addressed to the organization at the address shown below has been returned to the Commission by the U.S. Postal Service for the reason indicated on the attached copy of the envelope. Staff in the Hearing Services Section has confirmed that the address matches that in the Master Commission Directory, and attempts to contact the company by telephone and e-mail have been unsuccessful.

Zephion Networks Communications, Inc.
2950 Gallows Road
Falls Church, VA 22042-1018

If you are successful in contacting the company, please furnish a current mailing and location address as well as any other updated MCD information you obtain. Thank you for assisting this division in maintaining current information in the Master Commission Directory.

Attachment

2002 MAY 10 AM 10:06
PLEASE USE
COMPETITIVE SERVICES

Florida Public Service Commission
Bureau of Records and Hearing Services
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



TJ 498
TX 558

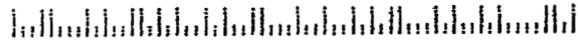
✓ Zephion Networks Communications, Inc.
2950 Gallows Road
Falls Church, VA 22042-1018

Woody Drayton
571-226-1434
Unable to
contact

ZEPH950 220423001 1901 27 04/23/02
RETURN TO SENDER
: ZEPHION NETWORK
MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

4/30/02

32399-0850 01



3:35 PM

Moses

From: MAILER-DAEMON@MAIL.PSC.STATE.FL.US
Sent: Friday, May 03, 2002 3:35 PM
To: SMoses@PSC.STATE.FL.US
Subject: Warning: Zephion Networks Communications, Inc. (Company Codes TJ498 and TX558)



ATT18312.TXT



Zephion Networks
Communication

This is a warning message only, there is no need to resend your message.

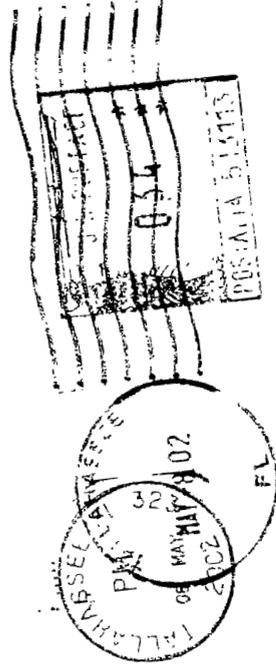
An error occurred sending a message to:
wtraylor@bbo.com

Relay host reported error:
Message could not be delivered for domain bbo.com after 4 hours.

Retries will continue for the next 68 hours.

Original Message Follows:
=====

State of Florida
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



Mr. Woody Traylor, Vice President
Zephion Networks Communications, Inc. (TX558)
2950 Galloway Road

220423117 1901 29 05/14/02
ZEPH950 RETURN TO SENDER
: ZEPHION NETWORK NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

220024



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 8, 2002

Mr. Woody Traylor, Vice President
Zephion Networks Communications, Inc. (TX558)
2950 Gallows Road
Falls Church, VA 22042-1018

2002 MAY 20 AM 9:54
DIVISION OF
COMPETITIVE SERVICES

Dear Mr. Traylor:

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 29, 2002, it is my intention to establish a docket and recommend that the Commission fine your company \$1,000 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.**

In addition to nonpayment of the 2001 RAF, the Commission has attempted to contact your company without success. Commission rules provide that a telecommunications company must update its address, telephone numbers, and liaison within 10 days of a change. The USPS returned mail to us addressed to your company. This information needs updating with us by May 29th.

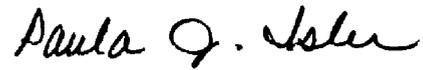
If you wish to cancel your certificate voluntarily and leave in good standing with the Commission, your company should pay the past due amount in full, complete the 2001 RAF return form, either pay the 2002 RAF or provide a date certain it will be paid, and comply with the requirements of Rule 25-24.820, 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,

Mr. Woody Traylor, Vice President
Page 2
May 8, 2002

at the address below, or via internet e-mail at pisler@psc.state.fl.us.

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 '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:
04/13/2001 TO 12/31/2001

Florida Public Service Commission
(See Filing Instructions on Back of Form)

TX558-01-0-R
 Zephion Networks Communications, Inc.
 2950 Gallows Road
 Falls Church, VA 22042-1018
 CC: P. Isler

FOR PSC USE ONLY

Check# _____

\$ _____ 0603006
 _____ 003001

\$ _____ P
 _____ 0603006
 _____ 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.	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

 () Facilities-Based Provider

CURRENT COMPANY STATUS

() 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.

State of Florida
Public Service C

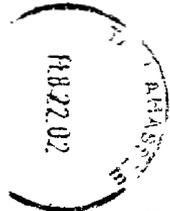
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



7001 2510 0007 6217 3954

COMPE. SERVICES

2007 MAR 5 11:11



ZEPH950 220423044 1901 30 02/28/02
RETURN TO SENDER
: ZEPHION NETWORK
MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

22042 22044-3018 33 |

TX558

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

TX558-01-0-D
Zephion Networks Communications, Inc.
2950 Gallows Road
Falls Church, VA 22042-1018

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.

Sincerely,

Harold McLean
General Counsel

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

MCD Company Information for TX558

Printed on 06/27/2002 at 08:16:22 by PJI

Company Code: TX558
Complete Name: Zephion Networks Communications, Inc.
Mailing Name: Zephion Networks Communications, Inc.
Certificate No(s): 7789
Status: Active
Regulation Date: 04/13/2001
Bankruptcy: No
Company Liaison #1: Woody Traylor
Title: Vice President of Regulatory Affairs
Mailing Address: 2950 Gallows Road

Physical Location: Falls Church, VA 22042-1018
2950 Gallows Road

Phone: Falls Church, VA 22042-1018
(571) 226-1434
Fax: (571) 226-1350

Related Dockets:

010053-TX Application for certificate to provide alternative local exchange telecommunications service by Zephion Networks Communications, Inc.

010675-TP Request by Sprint-Florida, Incorporated for approval of interconnection, unbundling, and resale agreement with Zephion Networks Communications, Inc.

010771-TP Request by BellSouth Telecommunications, Inc. for approval of interconnection, unbundling, resale, and collocation agreement with Zephion Networks Communications, Inc.

011576-TX Compliance investigation of Zephion Networks Communications, Inc. for apparent violation of Section 364.183(1), F.S., Access to Company Records.

*8:47 am, 6/27
571-226-1434 - busy
571-226-1350 - busy
DA - no listing*

COMPANY IDENTIFICATION

Printed on 05/06/2002 at 16:06:37 by PJ1

Complete Name: Zephion Networks Communications, Inc.

Mailing Name: Zephion Networks Communications, Inc.

Company Code: TX55F FEID Number: 54-2012433

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

Reg. Date: 04/13/2001 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 2:43 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