

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

|      |               |            |           |
|------|---------------|------------|-----------|
| Date | July 11, 2002 | Docket No. | 020692-TI |
|------|---------------|------------|-----------|

|                              |   |
|------------------------------|---|
| 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 IXC Certificate No. 6094 issued to Legends Communications, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies and 25-24.480, F.A.C., Records & Report; 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):

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|--|--|
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|  |  |

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

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|--|--|
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|  |  |
|  |  |

6. Check one:

XX Documentation is attached.

Documentation will be provided with recommendation.

PSC\CCA010-C (Rev 10/01)

## 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 17, 2002

Mr. Thomas L. Childers, CEO/Regulatory  
Legends Communications, Inc. (TJ207)  
2500 Windy Ridge Parkway, Suite 365  
Atlanta, GA 30339-8458

Dear Mr. Childers:

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 enclosed.

If full payment, including penalty and interest charges, along with the RAF return form, are not received by June 7, 2002, it is my intention to establish a docket and recommend that the Commission cancel your certificate since this will be the third docket established for the same rule violation. 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 25-24.474, 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. Thomas L. Childers, CEO/Regulatory  
Page 2  
May 17, 2002

Sincerely,

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

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

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# Interexchange 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)

TJ207-01-0-R  
 Legends Communications, Inc.  
 2500 Windy Ridge Parkway, Suite 365  
 Atlanta, GA 30339-8458

*cc: P. Isler*

**FOR PSC USE ONLY**

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

\$ \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 003001

\$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 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.       | Long Distance Services   | \$ _____                | \$ _____           |
| 2.       | Access Services  | _____                   | _____              |
| 3.       | Private Line Services  | _____                   | _____              |
| 4.       | Leased Facilities & Circuits Services  | _____                   | _____              |
| 5.       | Miscellaneous Services   | _____                   | _____              |
| 6.       | <b>TOTAL Telephone Services</b>  | \$ _____                | \$ _____           |
| 7.       | LESS: Amounts Paid to Other Telecommunications Companies*<br>(see "2. Fees" on back) | ( _____ )               | ( _____ )          |
| 8.       | <b>TOTAL REVENUES</b> For Regulatory Assessment Fee Calculation                      | _____                   | _____              |
| 9.       | Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)                            | _____                   | _____              |
| 10.      | Penalty for Late Payment (see "3. Failure to File by Due Date" on back)              | _____                   | _____              |
| 11.      | Interest for Late Payment (see "3. Failure to File by Due Date" on back)             | _____                   | _____              |
| 12.      | <b>TOTAL AMOUNT DUE</b>  | _____                   | \$ _____           |

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

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

**CURRENT COMPANY STATUS**

- Facilities-Based Carrier
- Reseller
- Call Aggregator
- Alternate-Operator Service
- Rebiller
- Other: \_\_\_\_\_

**BILLING INFORMATION**

Complete below if billing agent if other than yourself.

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

What is the total amount of customer deposits collected?  
 Amount: \$ \_\_\_\_\_ for 19 \_\_\_\_\_

What is the total amount of bond held (if applicable)?  
 Amount: \$ \_\_\_\_\_ Expires: \_\_\_\_\_

**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. \_\_\_\_\_

## 25-24.474 Cancellation of a Certificate.

(1) The Commission may on its own motion cancel a company's certificate for any of the following reasons:

- (a) Violation of the terms and conditions under which the authority was originally granted;
- (b) Violation of Commission rule or order; or
- (c) Violation of Florida Statutes.

(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.

- (a) Statement of intent and date to pay Regulatory Assessment Fee.
- (b) Statement of why the certificate is proposed to be cancelled.
- (c) A statement on treatment of customer deposits and final bills.
- (d) Proof of individual customer notice regarding discontinuance of service.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority 350.127(2) FS.  
Law Implemented 350.113, 350.127(1), 364.285, 364.337, 364.345 FS.  
History--New 2-23-87, Amended 3-13-96.

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State of Florida  
**Public Service Commission**

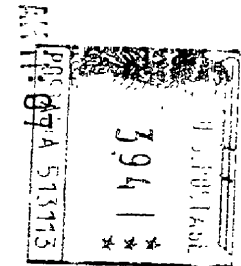
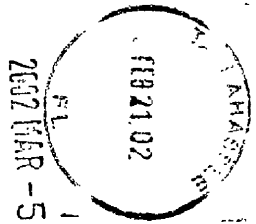
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**CERTIFIED MAIL**

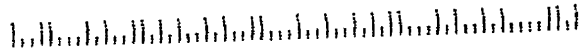


7001 2510 0007 6218 5377

DEPARTMENT OF  
COMPETITIVE SERVICES



RETURN TO SENDER  
NOT DELIVERABLE  
AS ADDRESSED



TJ207

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

TJ207-01-0-D

Legends Communications, Inc.  
2500 Windy Ridge Parkway, Suite 365  
Atlanta, GA 30339-8458

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 **Interexchange Telephone** 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,

A handwritten signature in black ink, appearing to be "H. McLean".

**Harold McLean**  
General Counsel

KMP

Enclosure

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

## MCD Company Information for TJ207

Printed on 07/09/2002 at 13:48:29 by PJI

Company Code: TJ207  
Complete Name: Legends Communications, Inc.  
Mailing Name: Legends Communications, Inc.  
Certificate No(s): 6094  
Status: Active  
Regulation Date: 05/26/1999  
Bankruptcy: No  
Company Liaison #1: Thomas L. Childers  
Title: CEO - Regulatory  
Mailing Address: 2500 Windy Ridge Parkway, Suite 365

Physical Location: Atlanta, GA 30339-8458  
2500 Windy Ridge Parkway, Suite 365

Phone: Atlanta, GA 30339-8458  
(770) 956-9900  
Fax: (770) 956-9911

### Related Dockets:

981995-TI Application for certificate to provide interexchange telecommunications service by Legends Communications, Inc.

001318-TI Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 6094 issued to Legends Communications, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

011027-TI Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 6094 issued to Legends Communications, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.



COMPANY IDENTIFICATION

Printed on 05/16/2002 at 11:44:10 by PJI

Complete Name: Legends Communications, Inc.

Mailing Name: Legends Communications, Inc.

Company Code: TJ207 FEID Number:

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

Reg. Date: 05/26/1999 Inactive Date:  
 Service: IXC - Interexchange Telephone  
 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 2:59 PM by Jackie Knight

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