

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date July 15, 2002 Docket No. 020717-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. 7505 issued to eVulkan, Inc. d/b/a beMANYI 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 and 6 rows for listing parties and representatives.

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

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 23, 2002

Ms. Gina Caccese
beMany! (TJ403)
c/o Energy.com Corporation
921 Eastwind Drive
Westerville, Ohio 43081-5300

Dear Ms. Caccese:

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 enclosed. In addition, our records show that you have a small past due balance, which must be paid. A breakdown is enclosed.

If full payment, including penalty and interest charges, along with the RAF return form, are not received by June 13, 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 25-24.474, Florida Administrative Code, copy enclosed. 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).

Ms. Gina Caccese
Page 2
May 23, 2002

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.

Sincerely,

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

Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosures

Interexchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(Set Filing Instructions on Back of Form)

FOR PSC USE ONLY	
Check# _____	
\$ _____	0603001
	003001
\$ _____	P
	0603001
	004011
\$ _____	1
Postmark Date _____	
Initials of Preparer _____	

STATUS:

- Actual Return
 Estimated Return
 Amended Return

TJ403-01-0-R
 beMANY!
 % Energy.com Corporation
 921 Eastwind Drive
 Westerville, OH 43081-5300
 cc: P. Isler

PERIOD COVERED:
01/01/2001 TO 12/31/2001

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
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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	TOTAL Telephone Services	\$ _____	\$ _____
7	LESS: Amounts Paid to Other Telecommunications Companies* (see "2 Fees" on back)	(_____)	(_____)
8	TOTAL REVENUES 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	TOTAL AMOUNT DUE	_____	\$ _____

* 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 Reseller 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. _____	

eVulkan, Inc. d/b/a beMANY! (TJ403)
Certificate No. 7505, Effective 09/01/00

Year	Fee	Penalty	Interest	Notes
2000	\$0.00	\$12.50	\$3.00	Payment was due 01/30/01. The company's payment for the RAF was postmarked 07/14/01, leaving a balance of \$15.50.
2001				Payment was due 01/30/02. Our records do not show record of payment. NOTE: I did not include the amount due for the 2001 RAF since the amount is based on a company's total intrastate revenues. The RAF is .0015% of a company's revenues or \$50.00, whichever is greater. In addition, statutory penalty and interest charges are applicable.
Total	-\$0.00	\$12.50	\$3.00	Total: \$15.50

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

MCD Company Information for TJ403

Printed on 07/12/2002 at 08:49:09 by PJI

Company Code: TJ403
Complete Name: eVulkan, Inc. d/b/a beMANY!
Mailing Name: beMANY!
Certificate No(s): 7505
Status: Active
Regulation Date: 09/01/2000
Bankruptcy: No
Company Liaison #1: George Jankovic
Title: President and CEO
Mailing Address: % Energy.com Corporation
921 Eastwind Drive
Westerville, OH 43081-5300
Physical Location: 921 Eastwind Drive
Westerville, OH 43081-5300
Phone: (888) 243-8472
Fax: (614) 901-1901
Related Dockets:
000639-TJ Application for certificate to provide interexchange
telecommunications service by eVulkan, Inc. d/b/a beMANY!.

