

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date	July 17, 2002	Docket No.	020749-TI
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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
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3. OCR: Office of the General Counsel
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4. Suggested Docket Title: Cancellation by Florida Public Service Commission of IXC Certificate No. 7788 issued to Zephion Networks 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.
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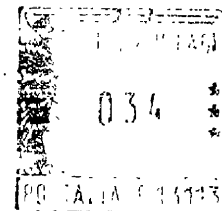
5. Suggested Docket Mailing List (attach separate sheet if necessary)
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)
1. Parties and their representatives (if any):


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.

DOCUMENT NUMBER-DATE  
07432 JUL 17 8  
FPSC-COMMISSION CLERK

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



Mr. Woody Traylor, Vice President of Regulatory  
Zephion Networks Communications, inc (TJ198)  
2950 Gallows Road  
Falls Church, VA 22042-1018

##### ZEPH950 220423084 1901 34 05/29/02  
RETURN TO SENDER  
: ZEPHION NETWORK  
MOVED LEFT NO ADDRESS  
UNABLE TO FORWARD  
RETURN TO SENDER

22042+1018 33

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

2002 JUN -3 AM 10:33  
DIVISION OF  
COMPETITIVE SERVICES

Mr. Woody Traylor, Vice President of Regulatory  
Zephion Networks Communications, Inc. (TJ498)  
2950 Gallows Road  
Falls Church, VA 22042-1018

Dear Mr. Traylor:

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 13, 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 June 13<sup>th</sup>.

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).

Mr. Woody Traylor, Vice President of Regulatory  
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](mailto: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 a distinct "I" and "S".

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

# Interexchange Company Regulatory Assessment Fee Return

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

TJ498-01-0-R  
 Zephion Networks Communications, Inc.  
 2950 Gallows Road  
 Falls Church, VA 22042-1018

CC: P. Isler

**FOR PSC USE ONLY**

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

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

\$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 004011

\$ \_\_\_\_\_ I

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

**PERIOD COVERED:**  
 04/16/2001 TO 12/31/2001

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* (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?      What is the total amount of bond held (if applicable)?  
 Amount: \$ \_\_\_\_\_ for 19 \_\_\_\_\_      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.

State of Florida



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

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**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)

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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.

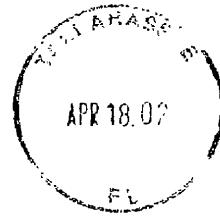
Zephion Networks Communications, Inc.  
2950 Gallows Road  
Falls Church, VA 22042-1018

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  
COMMUNICATIONS SERVICES

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



TI 498  
TY 559

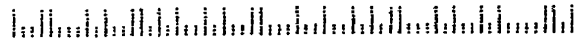
✓ Zephion Networks Communications, Inc.  
2950 Gallows Road  
Falls Church, VA 22042-1018

Woody Grayson  
571-226-1434  
Unable to contact

ZEPH950 220423001 1401 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

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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

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

TJ498-01-0-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 **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,

**Harold McLean**  
General Counsel

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

## MCD Company Information for TJ498

Printed on 07/12/2002 at 09:44:56 by PJI

Company Code: TJ498  
Complete Name: Zephion Networks Communications, Inc.  
Mailing Name: Zephion Networks Communications, Inc.  
Certificate No(s): 7788  
Status: Active  
Regulation Date: 04/16/2001  
Bankruptcy: No  
Company Liaison #1: Woody Traylor  
Title: Vice President of Regulatory Affairs  
Mailing Address: 2950 Gallows Road  
Falls Church, VA 22042-1018  
Physical Location: 2950 Gallows Road  
Falls Church, VA 22042-1018  
Phone: (571) 226-1434  
Fax: (571) 226-1350  
Related Dockets:  
010023-TI Application for certificate to provide interexchange  
telecommunications service by Zephion Networks Communications,  
Inc.

COMPANY IDENTIFICATION

Printed on 05/21/2002 at 15:40:21 by PJI

Complete Name: Zephion Networks Communications, Inc.

Mailing Name: Zephion Networks Communications, Inc.

Company Code: TJ498 FEID Number: 54-2012433

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

Reg. Date: 04/16/2001 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 3:07 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