



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

DATE: October 7, 2002
TO: Blanca Bayó, Director, Division of Commission Clerk and Administrative Services
FROM: Lee Fordham, Office of the General Counsel *C.F.F. /*
RE: Request for Permission from Comptroller's Office to Write-Off the RAFs for the years 2001 and 2002 for Interglobal Telephone Company d/b/a ITC (Company Code TJ271).

On June 13, 2002, Docket No. 020515-TI was established to address TJ271's failure to remit RAFs for the years 2001 and 2002. By Order No. PSC-02-0999-PAA-TI, issued on July 24, 2002, the Commission approved the cancellation of TJ271's IXC Certificate No. 7175. The Commission further ordered that the outstanding Regulatory Assessment Fees not be sent to the Comptroller's Office for collection, but instead, that the Division of the Commission Clerk and Administrative Services should request permission to write-off the uncollectible amount.

Therefore, staff requests that Bureau of Administrative Services/Fiscal Services Section take the appropriate steps to seek permission from the Comptroller's Office to write-off the uncollectible RAFs for the years 2001 and 2002 for TJ271.

cc: Jackie Knight
Paula Isler

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC 1
- OTH 1-Jackie

DOCUMENT NUMBER
10893 OCT-8 8
FPSC-COMMISSIONER CLERK

**STATE OF FLORIDA
OFFICE OF THE COMPTROLLER
BUREAU OF AUDITING
DELINQUENT ACCOUNTS RECEIVABLE TRANSMITTAL**

(PLEASE PRINT OR TYPE)

AGENCY: FLORIDA PUBLIC SERVICE COMMISSION

DATE: 10/7/02

CONTACT: KAREN BELCHER, DIRECTOR, FISCAL SERVICES

PHONE NUMBER: 413-6273

SAMAS ACCOUNT CODE: 61 50 2 573003 610100 00 000300
61 74 1 000331 610000 00 001200

Company Code TJ271
Docket No. 020515- TI

Interglobal Telephone Company d/b/a ITC

AGENCY REFERENCE #	LAST NAME	FIRST	MIDDLE	SOCIAL SECURITY NUMBER	COMPTROLLER USE ONLY
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Interglobal Telephone Company d/b/a ITC, 110 East Broward Blvd., Suite 610, Ft. Lauderdale, FL 33301-3504

LAST KNOWN ADDRESS (INCLUDE ZIP)

\$100.00

\$100.00

HOME TELEPHONE	WORK TELEPHONE	PRINCIPLE AMOUNT	PENALTY/INTEREST AMOUNT	TOTAL
§ 364.336, F.S.				
§ 350.113, F.S. Rule 25-4.0161, F.A.C.			2001 and 2002	8
<small>PENALTY/INTEREST AUTHORITY</small>			<small>DATE DEBT INCURRED</small>	<small>DEBT TYPE</small>

2001 and 2002 REGULATORY ASSESSMENT FEE

DEBT DESCRIPTION, e.g., DRIVER LICENSE, SALARY OVERPAYMENT, PROPERTY DAMAGE

ADDITIONAL INFORMATION, e.g., DATE OF BIRTH, DRIVER LICENSE NUMBER, ETC.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: FINDING OF INSOLVENCY
CANCELLATION BY FLORIDA PUBLIC
SERVICE COMMISSION OF IXC CERT.
NO. 7175 ISSUED TO INTERGLOBAL
TELEPHONE COMPANY D/B/A ITC FOR
VIOLATION OF RULE 25-24.0161,
F.A.C., REGULATORY ASSESSMENT
FEES; TELECOMMUNICATIONS
COMPANIES.

DOCKET NO. 020515-TI
ORDER NO. PSC-02-0999-PAA-TI
ISSUED: July 24, 2002

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION ORDER CANCELING CERTIFICATE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

CASE BACKGROUND

On October 15, 1999, Interglobal Telephone Company d/b/a ITC (ITC) was granted Interexchange Carrier (IXC) Certificate No. 7175. We received the company's 2000 Regulatory Assessment Fee (RAF) return on January 31, 2001, wherein ITC reported no revenues for the period ended December 31, 2000.

We mailed the 2001 RAF return form to ITC on December 12, 2001. That return, with appropriate payment, was due by January 30, 2002. Not receiving the return and payment, we mailed a delinquent notice to ITC on February 22, 2002.

Still having received no response, on May 21, 2002, our staff wrote the company and explained that past due balances, plus statutory penalty and interest charges must be paid in order to avoid a docket being opened for an involuntary cancellation of its certificate. On June 6, 2002, we received a letter from a law firm advising that ITC had been out of business since September 26, 2001. Attached to the letter was a "Notice of Assignment" Order.

We are vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.337, Florida Statutes.

DISCUSSION

Rule 25-4.0161, Florida Administrative Code, which implements Section 364.336, Florida Statutes, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

Rule 25-24.474, Florida Administrative Code, establishes the requirements for cancellation of certificates. On June 6, 2002, we were notified that the company has been out of business since September 26, 2001. We were provided a "Notice of Assignment" Order dated October 1, 2001, from the Circuit Court of the 17th Judicial Circuit in Broward County. The Order stated that the company had filed a petition "commencing an Assignment for the benefit of creditors proceeding pursuant to Chapter 727, Florida Statutes" and stated claims must be filed before January 24, 2002. This Commission did not receive the Order in time to file a claim.

Basically, a finding of insolvency under Chapter 727, Florida Statutes, is the state equivalent of a finding of bankruptcy under Chapter 9 of the Federal Bankruptcy Code. It is a procedure for the administration and liquidation of insolvent estates, administered by the circuit courts of Florida. The statute provides only for liquidation and has no provision for efforts to

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reorganize and survive as is provided in Chapter 11 of the Federal Bankruptcy Code.

Accordingly, we grant the company a cancellation of its IXC Certificate No. 7175, with an effective date of June 6, 2002, based on the finding of insolvency. In addition, our Division of the Commission Clerk & Administrative Services is hereby notified that the 2001 and 2002 RAFs, including statutory penalty and interest charges for the years 2000 and 2001, should not be sent to the Comptroller's Office for collection, but that permission for this Commission to write-off the uncollectible amount should be requested.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that IXC Certificate No. 7175, issued to Interglobal Telephone Company d/b/a ITC, is hereby canceled, effective as of June 6, 2002, as discussed in the body of this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed administratively.

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By ORDER of the Florida Public Service Commission this 24th
Day of July, 2002.

/s/ Blanca S. Bayó

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

This is a facsimile copy. Go to the
Commission's Web site,
<http://www.floridapsc.com> or fax a request
to 1-850-413-7118, for a copy of the order
with signature.

(S E A L)

CLF

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 14, 2002.

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In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Finding of insolvency
cancellation by Florida Public
Service Commission of IXC Cert.
No. 7175 issued to Interglobal
Telephone Company d/b/a ITC for
violation of Rule 25-24.0161,
F.A.C., Regulatory Assessment
Fees; Telecommunications
Companies.

DOCKET NO. 020515-TI
ORDER NO. PSC-02-1123-CO-TI
ISSUED: August 19, 2002

CONSUMMATING ORDER

BY THE COMMISSION:

By Order No. PSC-02-0999-PAA-TI, issued July 24, 2002, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order, in regard to the above mentioned docket. It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-02-0999-PAA-TI has become effective and final. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 19th Day of August, 2002.

/s/ Blanca S. Bayó

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

This is a facsimile copy. Go to the
Commission's Web site,
<http://www.floridapsc.com> or fax a request
to 1-850-413-7118, for a copy of the order
with signature.

(S E A L)

CLF

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any judicial review of Commission orders that is available pursuant to Section 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.