

TIME : 11/14/2002 16:06
NAME :
FAX :
TEL :

DATE, TIME	11/14 16:03
FAX NO./NAME	612152443440
DURATION	00:03:43
PAGE(S)	10
RESULT	OK
MODE	STANDARD ECM

- 1) Faxed letter to Dilks (1 pg)
- 2) Order PSC-02-1443-PAA-T1 (8 pgs)
- 3) Certified receipt (1 pg)

RECEIVED 7:30
NOV 15 AM 11:31
COMMISSION
CLERK

Kay -
Attached is
my response to
Kathleen Dilks'
letter to you.
Also, her letter to
you is attached.
Please document in
DKT 020654-T1.
Thanks,
P

11/14/02 16:06
612152443440
10
OK
STANDARD
ECM
PENNINC
Amy,

DOCUMENT NUMBER 0477
12529 NOV 15 8
FPSC-COMMISSION CLERK

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

November 14, 2002

Ms. Kathleen Dilks
Capsule Communications, Inc.
#2 Greenwood Square STE 275
Bensalem, PA 19020

RE: Docket No. 02654-TI

Dear Ms. Dilks:

The Commission's Division of the Commission Clerk & Administrative Services forwarded your November 14th letter to me for handling. You stated that the company did not receive the Proposed Agency Action Order and asked that it be reissued. A copy of the Order is enclosed. Our records show that the Proposed Agency Action Order was sent via certified mail and was signed for by M. Hughes and delivered on October 24, 2002. A copy of the certified receipt is enclosed. This means the Proposed Agency Action Order will not be reissued.

The Consummating Order was issued on November 12, 2002. This means that if the Commission receives the 2001 Regulatory Assessment Fee return form and fee, including statutory penalty and interest charges, along with the \$500 penalty imposed in the Proposed Agency Action Order by November 26, 2002, Capsule Communications, Inc.'s certificate will remain active. If full payment and the Regulatory Assessment Fee return form are not received by November 26, 2002, the company's certificate will be cancelled administratively.

Please let me know if you have any questions or wish to discuss this.

Sincerely,

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

Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosures

cc: Docket No. 020654-TI
Office of the General Counsel (Dodson)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of IXC
certificates for violation of
Rule 25-4.0161, F.A.C.,
Regulatory Assessment Fees;
Telecommunications Companies.

No. 2993	Capsule Communications, Inc.	DOCKET NO. 020654-TI
No. 3520	Atlas Communication Consultants, Inc.	DOCKET NO. 020655-TI
No. 3488	EqualNet Corporation	DOCKET NO. 020656-TI
No. 3526	CTS Telcom, Inc.	DOCKET NO. 020658-TI
No. 4024	American Telesource International, Inc.	DOCKET NO. 020659-TI
No. 4373	Federal TransTel, Inc.	DOCKET NO. 020661-TI
No. 4374	Ursus Telecom, Inc.	DOCKET NO. 020662-TI
No. 4421	Blue Shift Telecom, Ltd.	DOCKET NO. 020663-TI
No. 5161	TELCAM, Telecommunications Company of the Americas	DOCKET NO. 020676-TI
No. 5288	United Services Telephone, LLC	DOCKET NO. 020679-TI
No. 5676	Telecom Network System International, Inc. d/b/a TNS	DOCKET NO. 020688-TI
No. 5809	2 nd Century Communications, Inc.	DOCKET NO. 020691-TI
No. 7128	USC Telecom, Inc.	DOCKET NO. 020696-TI
No. 7179	i-TeleCo.com, Inc.	DOCKET NO. 020698-TI
No. 7263	Connect!LD, Inc.	DOCKET NO. 020699-TI
No. 7446	BroadRiver Communication Corporation	DOCKET NO. 020704-TI
No. 7547	Multiphone Latin America, Inc.	DOCKET NO. 020705-TI
No. 7554	Cybertel, Communications Corp.	DOCKET NO. 020716-TI
No. 7505	eVulkan, Inc. d/b/a beMANY!	DOCKET NO. 020717-TI

DOCUMENT NUMBER-DATE

11390 OCT 21 88

FPSC-COMMUNICATIONS CLERK

No. 7567 Radio Communications Corporation d/b/a RCC Radio Communications Corporation	DOCKET NO. 020718-TI
No. 7621 Global Broadband, Inc.	DOCKET NO. 020723-TI
No. 7693 Backbone Communications Inc.	DOCKET NO. 020728-TI
No. 7654 Eureka Telecom, LLC	DOCKET NO. 020729-TI
No. 7667 Evolution Networks South, Inc.	DOCKET NO. 020730-TI
No. 7717 Summit Telco, L.L.C.	DOCKET NO. 020734-TI
No. 7732 RapTel Communications, LLC	DOCKET NO. 020736-TI
No. 7826 Quick Tel, Inc.	DOCKET NO. 020750-TI
No. 7855 TotalCom America Corporation	DOCKET NO. 020751-TI
No. 7878 IntelleCare.FL., Inc.	DOCKET NO. 020752-TI
No. 7873 Miketronics, Inc.	DOCKET NO. 020754-TI
No. 7915 Aventura Networks, Inc.	DOCKET NO. 020758-TI
	ORDER NO. PSC-02-1443-PAA-TI
	ISSUED: October 21, 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 IMPOSING PENALTIES AND REQUIRING PAYMENT OF
DELINQUENT REGULATORY ASSESSMENT FEES, OR CANCELING
INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATES

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.

ORDER NO. PSC-02-1443-PAA-TI

DOCKET NOS. 020654-TI, 020655-TI, 020656-TI, 020658-TI, 020659-TI, 020661-TI, 020662-TI, 020663-TI, 020676-TI, 020679-TI, 020688-TI, 020691-TI, 020696-TI, 020698-TI, 020699-TI, 020704-TI, 020705-TI, 020716-TI, 020717-TI, 020718-TI, 020723-TI, 020728-TI, 020729-TI, 020730-TI, 020734-TI, 020736-TI, 020750-TI, 020751-TI, 020752-TI, 020754-TI, 020758-TI

PAGE 3

Each of the telecommunications providers listed below have not paid their 2001 Regulatory Assessment Fees, plus statutory penalty and interest charges. Therefore, it appears the companies have failed to comply with Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code, and have not requested cancellation of their respective certificates in compliance with Rule 25-24.474, Florida Administrative Code.

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>	<u>PAST DUE RAFS</u>	<u>PAST DUE PENALTIES AND INTEREST</u>
Capsule Communications, Inc.	2993	2001	1998, 1999 and 2001
Atlas Communication Consultants, Inc.	3520	2001	2001
EqualNet Corporation	3488	2001	1997, 2000 and 2001
CTS Telecom, Inc	3526	2001	1999 and 2001
American Telesource International, Inc.	4024	2001	2000 and 2001
Federal TransTel, Inc.	4373	2001	2000 and 2001
Ursus Telecom Corp.	4374	2001	2001
Blue Shift Telecom, Ltd.	4421	2001	1998 and 2001
TELCAM, Telecommunications Company of the Americas, Inc.	5161	2001	2000 and 2001

ORDER NO. PSC-02-1443-PAA-TI

DOCKET NOS. 020654-TI, 020655-TI, 020656-TI, 020658-TI, 020659-TI,
020661-TI, 020662-TI, 020663-TI, 020676-TI, 020679-TI, 020688-TI,
020691-TI, 020696-TI, 020698-TI, 020699-TI, 020704-TI, 020705-TI,
020716-TI, 020717-TI, 020718-TI, 020723-TI, 020728-TI, 020729-TI,
020730-TI, 020734-TI, 020736-TI, 020750-TI, 020751-TI, 020752-TI,
020754-TI, 020758-TI

PAGE 4

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>	<u>PAST DUE RAFS</u>	<u>PAST DUE PENALTIES AND INTEREST</u>
United Services Telephone, LLC	5288	2001	2000 and 2001
Telecom Network System International, Inc. d/b/a TNS	5676	2001	2001
2 nd Century Communications, Inc.	5809	2001	2001
USC Telecom, Inc.	7128	2001	2000 and 2001
i-TeleCo.com, Inc.	7179	2001	2001
Connect!LD, Inc.	7263	2001	2001
BroadRiver Communication Corporation	7446	2001	2001
Multiphone Latin America, Inc.	7547	2001	2000 and 2001
Cybertel, Communications Corp.	7554	2001	2000 and 2001
eVulkan, Inc. d/b/a beMANY!	7505	2001	2000 and 2001
Radio Communications Corporation d/b/a RCC Radio Communications Corporation	7567	2001	2001
Global Broadband, Inc.	7621	2001	2001
Backbone Communications Inc.	7693	2001	2001
Eureka Telecom, LLC	7654	2001	2001

ORDER NO. PSC-02-1443-PAA-TI

DOCKET NOS. 020654-TI, 020655-TI, 020656-TI, 020658-TI, 020659-TI,
020661-TI, 020662-TI, 020663-TI, 020676-TI, 020679-TI, 020688-TI,
020691-TI, 020696-TI, 020698-TI, 020699-TI, 020704-TI, 020705-TI,
020716-TI, 020717-TI, 020718-TI, 020723-TI, 020728-TI, 020729-TI,
020730-TI, 020734-TI, 020736-TI, 020750-TI, 020751-TI, 020752-TI,
020754-TI, 020758-TI

PAGE 5

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>	<u>PAST DUE RAFS</u>	<u>PAST DUE PENALTIES AND INTEREST</u>
Evolution Networks South, Inc.	7667	2001	2001
Summit Telco, L.L.C.	7717	2001	2001
RapTel Communications, LLC	7732	2001	2001
Quick Tel, Inc.	7826	2001	2001
TotalCom America Corporation	7855	2001	2001
IntelleCare.FL., Inc.	7878	2001	2001
Miketronics, Inc.	7873	2001	2001
Aventura Networks, Inc.	7915	2001	2001

Accordingly, we find it appropriate to assess a \$500 penalty against each entity listed above or cancel each company's respective certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code, if the penalty and the Regulatory Assessment Fees, including statutory penalty and interest charges, are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The penalty should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If a company does not protest the Commission's Order or the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, are not received, that company's certificate, as listed above, should be cancelled administratively and the collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts. If a company's certificate, as listed above, is cancelled, the respective company should be required to immediately cease and

ORDER NO. PSC-02-1443-PAA-TI

DOCKET NOS. 020654-TI, 020655-TI, 020656-TI, 020658-TI, 020659-TI, 020661-TI, 020662-TI, 020663-TI, 020676-TI, 020679-TI, 020688-TI, 020691-TI, 020696-TI, 020698-TI, 020699-TI, 020704-TI, 020705-TI, 020716-TI, 020717-TI, 020718-TI, 020723-TI, 020728-TI, 020729-TI, 020730-TI, 020734-TI, 020736-TI, 020750-TI, 020751-TI, 020752-TI, 020754-TI, 020758-TI

PAGE 6

desist providing interexchange carrier telecommunications services in Florida.

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.337, Florida Statutes. Pursuant to Section 364.336, Florida Statutes, cancellation of an entity's certificate does not relieve the obligation to pay Regulatory Assessment Fees, including statutory penalty and interest charges, if the certificate was active during any portion of the calendar year including the year of cancellation.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that each of the entities listed herein shall pay the past due Regulatory Assessment Fees, statutory penalties, interest charges, and a \$500 penalty to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within 14 days after the issuance of the Consummating Order. The penalties will be transmitted to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that should any of the entities fail to comply with this Order, that entity's certificate shall be canceled, effective on the date of issuance of the Consummating Order; the collection of the past due fees shall be referred to the Office of the Comptroller for further collection efforts; and the respective docket shall be closed. It is further

ORDERED that if an entity's certificate is canceled in accordance with this Order, that entity shall immediately cease and desist providing Interexchange Telecommunications services in Florida. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDER NO. PSC-02-1443-PAA-TI

DOCKET NOS. 020654-TI, 020655-TI, 020656-TI, 020658-TI, 020659-TI,
020661-TI, 020662-TI, 020663-TI, 020676-TI, 020679-TI, 020688-TI,
020691-TI, 020696-TI, 020698-TI, 020699-TI, 020704-TI, 020705-TI,
020716-TI, 020717-TI, 020718-TI, 020723-TI, 020728-TI, 020729-TI,
020730-TI, 020734-TI, 020736-TI, 020750-TI, 020751-TI, 020752-TI,
020754-TI, 020758-TI

PAGE 7

ORDERED that, if a protest to this Order is filed, the protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in 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, each docket shall be closed upon payment of the penalty, and fees, or upon cancellation of the certificate.

By ORDER of the Florida Public Service Commission this 21st Day of October, 2002.

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

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

AJT

ORDER NO. PSC-02-1443-PAA-TI

DOCKET NOS. 020654-TI, 020655-TI, 020656-TI, 020658-TI, 020659-TI,
020661-TI, 020662-TI, 020663-TI, 020676-TI, 020679-TI, 020688-TI,
020691-TI, 020696-TI, 020698-TI, 020699-TI, 020704-TI, 020705-TI,
020716-TI, 020717-TI, 020718-TI, 020723-TI, 020728-TI, 020729-TI,
020730-TI, 020734-TI, 020736-TI, 020750-TI, 020751-TI, 020752-TI,
020754-TI, 020758-TI

PAGE 8

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.

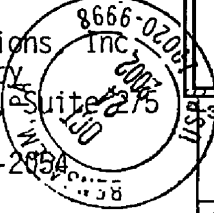
Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 November 11, 2002.

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.

ORIGINAL

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly)	B. Date of Delivery
1. Article Addressed to: <u>020654</u> Capsule Communications Inc. Mr. Michael McAnulty 2 Greenwood Square Suite 275 3331 Street Road Bensalem PA 19020-2854 	C. Signature X <u>M. Hughes</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
2. Article Number (Transfer from service label) <u>7002 0860 0001 1755 4398</u>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, March 2001	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
Domestic Return Receipt	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

AUS _____
 CAF _____
 CMP _____
 COM _____
 CTR _____
 ECR _____
 GCL _____
 OPC _____
 NMS _____
 SEC 1
 OTH _____

PSC-02-1443-PAA-II

DOCUMENT NUMBER DATE
 11781 OCT 28 08
 FPSC-COMMISSION CLERK

RECEIVED-FFSC

NOV 14 PM 2:06

COMMISSION
CLERK

Dear Ms. Flynn,

November 14, 2002

To: Paula
413-6503

I am in receipt of a Cancellation Notice by Florida Public Service Commission of IXC certificates for violation of Rule 25-4.0161, F.A.C, Regulatory Assessment Fees: Telecommunications Companies.

No 2993 Capsule Communication Inc

I am requesting a copy of the Order no PSC-02-1443-PAA-TI which was issued October 21, 2002 which Capsule never received. Please update your record to reflex a new fax number 214 244 3440 attn Kathleen Dilks. No response has been filed because we never received the order. Please rsubmit the orders so we can file and appeal

Sincerely,

Kathleen Dilks
Capsule Communications
215 244 3413 phone
215 244 3440 fax

#2 Greenwood Square STE 275
Bensalem PA 19020