

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of IXC  
Certificate No. 4414 issued to  
QAI, Inc. d/b/a Long Distance  
Billing for violation of Rule  
25-4.0161, F.A.C., Regulatory  
Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 020673-TI

In re: Cancellation by Florida  
Public Service Commission of IXC  
Certificate No. 5759 issued to  
Long Distance America, Inc. for  
violation of Rule 25-4.0161,  
F.A.C, Regulatory Assessment  
Fees; Telecommunications  
Companies.

DOCKET NO. 020690-TI  
ORDER NO. PSC-02-1687-AS-TI  
ISSUED: December 5, 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

REISSUANCE OF  
ORDER APPROVING SETTLEMENTS

BY THE COMMISSION:

This is a reissuance of Order No. PSC-02-1687-AS-TI, because  
the Order was initially issued in the wrong dockets due to a  
scrivener's error. The order is therefore being reissued to  
reflect issuance in the appropriate dockets and to give the  
affected parties appropriate notice and opportunity to respond.

QAI, Inc. d/b/a Long Distance Billing (LDB) currently holds  
Certificate of Public Convenience and Necessity No. 4414,

DOCUMENT NUMBER-DATE

13305 DEC-5 02

FPSO-COMMISSION CLERK

authorizing the provision of Interexchange (IXC) Telecommunications service. Long Distance America, Inc. (LDA) currently holds Certificate of Public Convenience and Necessity No. 5759, authorizing the provision of Interexchange (IXC) Telecommunications service.

Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, 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. Docket 020673-TI was established to cancel LDB's certificate for nonpayment of RAFs, penalties and interest for the year 2001. Docket 020690-TI was established to cancel LDA's certificate for nonpayment of RAFs for the year 2001 and nonpayment of penalties and interest for the years 1999 and 2001.

After these dockets were established, the companies contacted us and subsequently paid the past due amounts, including statutory penalty and interest charges, and proposed settlements. This is the second enforcement docket established for both companies for the same rule violation. Each company offered to pay a \$500 contribution and proposed to pay future RAFs on a timely basis. These settlement amounts are consistent with amounts accepted for recent, similar violations. 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.

Accordingly, we accept each company's respective settlement proposal of \$500. Any contribution should be received by the Commission within fourteen (14) calendar days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If either of the companies fails to pay in accordance with the terms of this Order, that company's respective certificate shall be cancelled administratively. If a company's certificate is cancelled in

ORDER NO. PSC-02-1687-AS-TI  
DOCKETS NOS. 020673-TI, 020690-TI  
PAGE 3

accordance with this Order, the respective company should be required to immediately cease and desist providing interexchange carrier services in Florida.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that QAI, Inc. d/b/a Long Distance Billing's and Long Distance America, Inc.'s settlement proposals set forth in the body of this Order are hereby approved. It is further

ORDERED that the settlement amounts must be received within 14 days of the issuance of this Order. It is further

ORDERED that this docket shall remain open pending timely receipt of the \$500 contributions. The contributions will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that if QAI, Inc. d/b/a Long Distance Billing or Long Distance America, Inc. fails to comply with this Order, its certificate will be canceled administratively. It is further

ORDERED that if QAI, Inc. d/b/a Long Distance Billing's or Long Distance America, Inc.'s certificate is canceled in accordance with this Order, QAI, Inc. d/b/a Long Distance Billing or Long Distance America, Inc. shall immediately cease and desist providing Alternative Local Exchange services in Florida. It is further

ORDERED that upon receipt of the \$500 contributions or cancellation of the certificates this docket shall be closed.

ORDER NO. PSC-02-1687-AS-TI  
DOCKETS NOS. 020673-TI, 020690-TI  
PAGE 4

By ORDER of the Florida Public Service Commission this 5th day  
of December, 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 )

LHD

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 or judicial review of Commission orders that is available under Sections 120.57 or 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 an administrative hearing or 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: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by

ORDER NO. PSC-02-1687-AS-TI  
DOCKETS NOS. 020673-TI, 020690-TI  
PAGE 5

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.