

ORIGINAL

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date **March 17, 2003** Docket No. **030273-TC**

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: **Bankruptcy Cancellation by Florida Public Service Commission of PAT Certificate No. 7418 issued to Alpha Tel-Com, Inc., Effective 03/17/03.**

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:
 Documentation is attached.
 Documentation will be provided with recommendation.

PSC\CCA010-C (Rev 10/01)

DOCUMENT NUMBER DATE

02565 MAR 17 8

FPSO-COMMISSION CLERK

**THOMAS F. LENNON
U.S. DISTRICT COURT RECEIVER
FOR ALPHA TELCOM, INC.
& RELATED ENTITIES**

March 12, 2003

Ray Kennedy
Bureau of Service Quality
Florida Public Service Commission

Re: Alpha Telcom, Inc.
United States Bankruptcy Court, District of Oregon,
Case No. 301-40109-elp11 [Jointly Administered]

Dear Mr. Kennedy:

In compliance with your request we hereby request cancellation of Alpha Telcom, Inc. certificate number 7418. We understand that you will request permission for the Commission to write-off regulatory assessment fees that are purportedly owed by Alpha.

Please let me know if you require any further action on our part.

Very truly yours,


Thomas F. Lennon, Inc.
Receiver

SECRET

Paula Isler

From: Ray Kennedy
Sent: Wednesday, March 12, 2003 2:26 PM
To: Paula Isler
Subject: FW: Alpha Tel-Com, Inc., TG693

-----Original Message-----

From: Ray Kennedy
Sent: Wednesday, March 12, 2003 2:14 PM
To: 'Bill Johnston'
Subject: RE: Alpha Tel-Com, Inc., TG693

Thanks for the quick response. If you would, drop the letter in the mail to me (since you did the letter).

Ray Kennedy
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

I will place it in the docket file. That's all we will need from you. You will get notification of a docket opening, plus copy of the orders when they are released cancelling the certificate. No further action should be required of you.

Thank You.

-----Original Message-----

From: Bill Johnston [mailto:billj@tflinc.com]
Sent: Wednesday, March 12, 2003 2:06 PM
To: Ray Kennedy
Subject: Re: Alpha Tel-Com, Inc., TG693

Mr. Kennedy: I have attached a letter signed by Mr. Lennon per your request. I will maintain the signed hard copy should you need it. Bill Johnston

----- Original Message -----

From: Ray Kennedy <RKennedy@PSC.STATE.FL.US>
To: <billj@tflinc.com>
Sent: Wednesday, March 12, 2003 10:23 AM
Subject: Alpha Tel-Com, Inc., TG693

> Dear Mr. Johnston,

>

> We are in receipt of your correspondence regarding Alpha Tel-Com, Inc.
> (Alpha). It is clear from your documentation that Alpha has ceased
> conducting payphone operations, terminated all employees, and sold or
> abandoned all payphone stations in Florida. Based on this, we believe
> that

> Alpha would no longer have any need for certification to provide payphone
> services in Florida.

>

> Would you please request, via e-mail, cancellation of Alpha's certificate.
> Once we have received your request, we will initiate a docket to seek
> approval from our Commission for bankruptcy cancellation of Alpha's
> certificate number 7418. We will also request permission for the
Commission
> to write-off the regulatory assessment fees owed by Alpha, due to
> bankruptcy. We need your request to proceed. Maintaining a certificate
> would serve no useful purpose as these type certificates are not
> transferable.
>
> Please reply at your earliest. Thank you,
>
> Ray Kennedy
> Bureau of Service Quality
> Florida Public Service Commission
> Phone 850-413-6584
> Fax 850-413-6585
>

THOMAS F. LENNON
U.S. DISTRICT COURT RECEIVER
FOR ALPHA TELCOM, INC.
& RELATED ENTITIES

March 12, 2003

Ray Kennedy
Bureau of Service Quality
Florida Public Service Commission

Re: Alpha Telcom, Inc.
United States Bankruptcy Court, District of Oregon,
Case No. 301-40109-elp11 [Jointly Administered]

Dear Mr. Kennedy:

In compliance with your request we hereby request cancellation of Alpha Telcom, Inc. certificate number 7418. We understand that you will request permission for the Commission to write-off regulatory assessment fees that are purportedly owed by Alpha.

Please let me know if you require any further action on our part.

Very truly yours,

Thomas F. Lennon

Thomas F. Lennon, Inc.
Receiver



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

DATE: March 11, 2003
TO: Paula Isler, Division of Competitive Markets and Enforcement *nb*
FROM: Nonnye Grant, Division of the Commission Clerk and Administrative Services
RE: Responses to "Update Letters" - Indicating bankruptcy

I recently mailed out my request for "updated information" from all the Companies/Utilities under the FPSC jurisdiction and they are currently being returned. The following company responded by indicating with an attached letter saying that they are in bankruptcy:

- 1. Alpha Tel-Com, Inc. TG693

We currently do not have them marked as being in bankruptcy and I did not mark them until after you have reviewed this information, since all we received was the letter (no court order) from Mr. Thomas F. Lennon, Receiver. I did make the necessary updates in MCD regarding the company's information as to the contract person, etc. as was indicated.

I'm forwarding copies of what was returned with my "updated information" for the above company for your information and further handling. I'm having copies of these placed in 030000-PU docket so that they can have a document number assigned for references in case we need them later.

Thanking you in advance for your assistance in this matter.

/nbg
Attachment(s) (2)

*Ray - Please review.
Dkt. 010696-TC was @ 1st
cancelled administratively for non paym.
by the SICC settlement. Cert. was
reinstated due to bankruptcy.
My question - do you think they
want to cancel case? Am I
reading this correctly?
I emailed William Johnson
with a case so he
can review.*

Vertical stamp or text on the right side of the page.

to Receiver/EMP
File marked

THOMAS F. LENNON
U.S. DISTRICT COURT RECEIVER
FOR ALPHA TELCOM, INC.
& RELATED ENTITIES

RECEIVED FISC
US MAR 10 AM 10:37
COMMISSION
CLERK

To Whom It May Concern:

Alpha Telcom, Inc. and Related Entities was placed in Chapter 11 bankruptcy on August 24, 2001. The action was subsequently moved to the United States Bankruptcy Court in Portland, OR. The consolidated case number is 301-40109-elp11. Thomas F. Lennon was appointed as the Receiver and natural responsible person for the Debtors. The company ceased all operations as of August 30, 2002 and terminated all employees. All payphone operations were sold or abandoned with the approval of the Court on or before the August 30, 2002 date. The company's current mailing address is:

Thomas F. Lennon, Receiver
7777 Alvarado Road, Suite 712
La Mesa, CA 91941 - 3688

The bankruptcy counsel for Alpha Telcom, Inc and Related Entities is:

Michael Greger, Esq.
Allen Matkins, Leck, Gamble & Mallory
1900 Main Street, 5th Floor
Irvine, CA 92614-7321
949-553-1313

The initial Proof of Claim Deadline for pre-petition obligations was March 18, 2002.

The Administrative Claims Bar Date was July 30, 2002.

Updated 3-10-03

Company Code: TG693

Certificate No(s): 7418

508 MAR 11 11 9

Physical Location: 1905 N.W. Washington Blvd. Grants Pass, OR 97526-3469	ENTER CORRECTIONS BELOW: <u>7777 ALVARADO RD, SUITE 212</u> <u>LA MESA CA 91941-</u> <u>3688</u>
Mailing Address: 1905 N.W. Washington Blvd. Grants Pass, OR 97526-3469	<u>SAME AS ABOVE</u>
Liaison Officer(s): 1. Terry Craine, Operations Manager, (541) 956-2102 2. Name, Title, Phone number	<u>William JOHNSTON, PROJECT MANAGER</u> <u>619 668 6680</u>
Fax No(s): (541) 955-0231 , Fax 2 E-mail address: tcraine@Alphatelecom.com Web address: http://www.Alphatelcom.com Federal Employee ID No.: 93-0933024	<u>619 465 9288</u> <u>billj@TFLINC.COM</u>

IMPORTANT NOTE:

The following section is applicable ONLY to companies with d/b/a as part of their official company name.

All official correspondence is addressed to the "Mailing Name" of regulated companies. The "Mailing Name" is the last d/b/a of the company's official name. Our records reflect the mailing name shown below for your company. If you prefer to receive official correspondence in another mailing name, please make the change in the space provided. The name can be no longer than 58 characters (including spaces) and **MUST** be part of the official company name.

MAILING NAME:

Alpha Tel-Com, Inc.

COMPLETED BY: W. Johnston DATE: 3-7-03



Public Service Commission

DATE: May 10, 2002
TO: Division of the Commission Clerk & Administrative Services (Bayó)
FROM: Division of Competitive Services (Isler) *Pji*
RE: Docket No. 010696-TC - Cancellation by Florida Public Service Commission of PATS Certificate No. 7418 issued to Alpha Tel-Com, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Order No. PSC-01-2425-AS-TC was issued on December 12, 2001, which accepted the company's \$100 settlement proposal. According to the Order, the company had until December 26, 2001 to pay the \$100 contribution. No payment was received, therefore, the company's certificate was administratively cancelled effective December 28, 2001.

On April 29, 2002, the Commission received payment of the \$100 settlement, the 2001 Regulatory Assessment Fee, including statutory penalty and interest charges, a \$100 application fee (see Docket No. 020380-TC) and new application. The company's letter submitting the new application stated that Alpha Tel-Com, Inc. had filed for bankruptcy on August 24, 2001. However, the company had not provided proof of the bankruptcy nor had the Commission received notice of the bankruptcy filing from the US Bankruptcy Court.

On May 9, 2002, the Office of the General Counsel received a faxed copy of the official notice that Alpha Tel-Com, Inc. had filed for Chapter 11 bankruptcy protection and was assigned Case No. 01-40109-elp11. Ms. Michele Pedraita of Alpha Tel-Com, Inc. advised staff that the original of the fax would be mailed to the Division of the Commission Clerk & Administrative Services.

Based on the fact that the company had filed for bankruptcy prior to cancellation of the company's certificate, this docket should be reopened so that staff can take a recommendation to the Commissioners to reinstate the company's certificate.

Accordingly, please reopen this docket and change OPR staff from the Division of Competitive Markets & Enforcement (Isler) to the Office of the General Counsel (Elliott; K. Peña). The Office of the General Counsel will revise the CASR once the docket has been reopened. Let me know if you have any questions.

Attachment (3 pages)
cc: Office of the General Counsel (J. Elliott; K. Peña)

- ___ AUS
- ___ CAF
- ___ CMP
- ___ COM
- ___ CTR
- ___ ECR
- ___ GCL
- ___ OPC
- ___ MMS
- ___ SEC
- ___ OTH *Henry*

012
sm *5/13/02*
DOCUMENT NUMBER + DATE
05119 MAY 13 2002
FPSC-COMMISSION CLERK

-ALPHA TELCOM
1905 NW WASHINGTON
GRANTS PASS, OREGON 97526
-PHONE: 541-956-2050 FX: 3124
F-AX: 541-956-2017

FACSIMILE TRANSMITTAL SHEET

TO:
Kimberely Pena

FROM:
Michele Pedraita

COMPANY:

DATE:
5/9/02

FAX NUMBER:
850-413-6394

TOTAL NO. OF PAGES INCLUDING COVER:
34

PHONE NUMBER:
541-956-2050 ex 3124

SENDER'S REFERENCE NUMBER:

RE:
Court Order

YOUR REFERENCE NUMBER:

- URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Hi Kimberely,
Thank you so much for the wonderful news. I'm faxing the court order as well as the letter I sent on the 12th of February along with the tax forms so they would know what companies were also represented. I appreciate every bit of help you have given me. I did look into Keiser and they have a wonderful paralegal program, but it was so expensive. Let me know if you need anything else. Michele

Alpha Telcom, Inc.



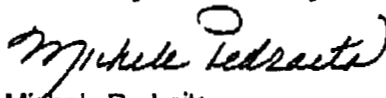
February 12, 2002

Division of the Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

Dear Sir,

This letter pertains to your notice requesting payment for taxes due. Please be advised that Alpha Telcom, Inc. filed a voluntary petition for relief under chapter 11 of the bankruptcy code on August 24, 2001 (USBC case number 01-40109-elp11; see enclosed copy of petition). Alpha Telcom, Inc. and its related entities are also the subject of an SEC receivership (SEC v. Alpha Telcom, Inc., et al., case no.: CV 01-1283 PA). Because this notice refers to taxes assessed prior to August 24, 2001, we believe these taxes may be pre-petition in nature; therefore, to continue to pursue collection is a violation of the automatic stay. In the event that you believe you have a claim against the bankruptcy estate, please file a proof of claim with the United States Bankruptcy Court in the District of Oregon.

Sincerely,



Michele Pedraita
Regulatory/Auditing Department
Phone: 541-956-2050 ex 3124

FORM B9FA (ALT.) (Chapter 11 Corporation/Partnership Case) (9/97)

UNITED STATES BANKRUPTCY COURT District of Oregon

Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors, & Deadlines

Chapter 11 bankruptcy cases concerning the Debtors listed below were filed on August 24, 2001 in the Southern District of Florida. Pursuant to Court Orders dated September 17, 2001, the cases were transferred to the District of Oregon.

You may be a creditor of the debtors. This notice lists important deadlines. You may want to consult an attorney to protect rights. All documents except proofs of claim or interests filed in the case may be inspected at the bankruptcy clerk's office address listed below.

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

Debtor (name(s) and address):		Case Number: 301-40109-elpl1 (Lead Case) Jointly Administered With 301-40108-elpl1, 301-40111-elpl1 and 301-40112-elpl1	
ALPHA TEL-COM, INC. FLORIDA PAY PHONE SYSTEMS, INC. PACIFIC TELCOM, INC. NEW YORK PAY PHONE SYSTEMS, INC.		Taxpayer ID Nos.: 93-0933024 65-0494591 88-0307494 14-1679756	
Attorney for Debtor In Possession (name and address): David R. Zaro and Michael S. Greger Allen Mathis Leck Gamble & Mallory LLP 1900 Main Street, 5 th Flz. Irvine, California 92614		Telephone Number: (949) 553-1313	

Date: December 18, 2001	Time: 10:00 A.M.	Location: Office of the U.S. Trustee 620 SW Main St., Room 2 Portland, OR 97205
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Deadlines for Filing Proofs of Claim:
 March 18, 2002 for all creditors, except for governmental units, who must file no later than 50 days after this date.

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.	
Address of the Bankruptcy Clerk's Office: Bankruptcy Clerk's Office 1001 SW 5 th Avenue, #700 Portland, OR 97204 Telephone number: (503) 326-2231	Clerk, U.S. Bankruptcy Court
Hours Open: Monday-Friday 9:00 a.m. - 4:30 p.m. Closed all Legal Holidays	Date: 11/27/2001

COMPANY IDENTIFICATION

Printed on 03/17/2003 at 13:37:34 by PJI

Complete Name: Alpha Tel-Com, Inc.

Mailing Name: Alpha Tel-Com, Inc.

Company Code: TG693 FEID Number: 93-0933024

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

Reg. Date:	05/10/2000	Inactive Date:	
Service:	PAT - Pay Telephone		
Received:	Actual RAF Form		
Status:	Pending		
Amended:	No	Extension:	No
Frozen:	No	Comments:	No
Payment Count:	1 Payment Made to Date		
Operating Rev:	\$59,504.25	Interstate Rev:	\$0.00
RAF Rate:	0.0015	Net RAF Due:	\$89.26

Assessment	Due	Paid	Owe
RAF	\$89.26	\$89.26	\$0.00
Penalty	\$13.39	\$4.07	\$9.32
Interest	\$2.68	\$0.00	\$2.68
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$105.33	\$93.33	\$12.00

Last modification was made on Wednesday, May 1, 2002 at 10:42 AM by Jackie Knight

Period covered:	01/01/2001 through 12/31/2001	RAF rate:	0.0015
Operating rev:	\$59,504.25	Gross intrastate rev:	\$0.00
Documents:	Actual RAF form received on 04/24/2002		
	RAF form mailed on 04/12/2002		
	Delinquent letter mailed on 02/20/2002		
	RAF form mailed on 12/06/2001		
Postmarked	Trans Date	Date Posted-By	Dep # Check # Check Amount
04/24/2002	04/29/2002	05/01/2002-JIK	HJ208 40540 \$93.33
	RAF paid		HJ208 \$89.26
	Penalty paid		HJ208 \$4.07

COMPANY IDENTIFICATION

Printed on 03/17/2003 at 13:37:41 by PJI

Complete Name: Alpha Tel-Com, Inc.

Mailing Name: Alpha Tel-Com, Inc.

Company Code: TG693 FEID Number: 93-0933024

RAF ACCOUNT FOR THE PERIOD 01/01/2002 THROUGH 12/31/2002

Reg. Date: 05/10/2000 Inactive Date:
 Service: PAT - Pay 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 5, 2002 at 1:47 PM by Jackie Knight

Period covered: 01/01/2002 through 12/31/2002 RAF rate:
 Operating rev: \$0.00 Gross intrastate rev: \$0.00
 Documents: Delinquent letter mailed on 02/19/2003
 RAF form mailed on 12/05/2002