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DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

Public Service Commission

March 12, 2003

TG838

030331-TC

CK 1528

#5.00-P

1.00-I

3/19/03

MC

P. Isler  
✓CCA

Mr. Frederick Gorayeb, Owner  
FJ Communications (TG838)  
120 NE 29<sup>th</sup> Street  
Wilton Manors, FL 33334-1045

PROCESSED

DATE

Dear Mr. Gorayeb:

D825

MAR 25 2003

On March 11, 2003, the Commission received your letter requesting cancellation of your pay telephone certificate, along with the minimum payment for the 2002 Regulatory Assessment Fee. Payment did not include the statutory penalty and interest charges nor did your letter comply with the cancellation rule.

As information, there are two kinds of cancellations. The first is voluntary, which is normally granted if the company is in good standing with the Commission and does not have a past due balance of the Regulatory Assessment Fee, including statutory penalty and interest charges. The other is involuntary. If a company is not in good standing and has an outstanding balance of the Regulatory Assessment Fee, the Commission normally cancels the certificate on its own motion for a rule violation. It should be noted that any balance owed is turned over to collections.

The Regulatory Assessment Fee is assessed if a certificate is active for any one day during a calendar year. The Regulatory Assessment Fee is due by January 30 of each year, unless the 30th falls on a weekend, then the fee is due by the next working day, for the previous year. If payment for the Regulatory Assessment Fee is postmarked after the due date, then statutory penalty and interest charges are applicable.

According to Commission records, payment of the 2002 Regulatory Assessment Fee was postmarked March 7, 2003, which means payment should have been in the amount of \$56.00 (\$50.00 fee, \$5.00 penalty, \$1.00 interest).

The effective date of a voluntary cancellation is the date that the Commission received a company's request for cancellation. In this case, the Commission did not receive your request until March 11, 2003, therefore, the company is responsible for payment of the 2003 Regulatory Assessment Fee, even if the company is no longer in business or, in fact, never went into business. I can understand that you would not want to have to pay the \$50 Regulatory Assessment Fee for the year 2003 when you never got the business off the ground, unfortunately, since your certificate was

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Mr. Frederick Gorayeb, Owner  
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active in 2003, the Regulatory Assessment Fee for that year is owed. Rule 25-24.514(2)(a) and (b), Florida Administrative Code, provides that a company requesting voluntary cancellation must either pay the current year's fee or provide a date certain that it will be paid, such as within 30 days after the Commission Order is issued granting the voluntary cancellation.

Therefore, based on the above information, I cannot recommend a voluntary cancellation of your certificate until the company complies with Rule 25-24.514, Florida Administrative Code, and pays the \$6.00 past due penalty and interest balance. Please respond in writing by March 27, 2003, and let me know how you wish to proceed. In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, by internet e-mail at [pisler@psc.state.fl.us](mailto:pisler@psc.state.fl.us), or at the address listed at the bottom of Page 1.

Sincerely,



Paula J. Isler, Research Assistant  
Bureau of Service Quality

I was not aware of the  
Interest and late fees. Here  
is a check for \$6.  
Please cancel my certificate.

2003 MAR 21 AM 8:49  
DISTRIBUTION CENTER