

REQUEST TO ESTABLISH DOCKET

(Please Type)

| | | | |
|---|---------------|---|-----------|
| Date | July 15, 2003 | Docket No. | 030614-TA |
| 1. Division Name/Staff Name: | | Competitive Markets & Enforcement/Isler | |
| 2. OPR: Division of Competitive Markets & Enforcement | | | |
| 3. OCR: Office of the General Counsel | | | |
| 4. Suggested Docket Title: Cancellation by Florida Public Service Commission of AAV Certificate No. 4025 issued to Winstar Communications, LLC for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. | | | |
| 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: | | | |
| <input checked="" type="checkbox"/> Documentation is attached. | | | |
| <input type="checkbox"/> Documentation will be provided with recommendation. | | | |
| PSC\CCA010-C (Rev 10/01) | | | |

DOCUMENT NUMBER-DATE
06277 JUL 15 8
FPSC-COMMISSION CLERK

TRANSMISSION VERIFICATION REPORT

TIME : 06/18/2003 12:19
NAME :
FAX :
TEL :

| | |
|--------------|-----------------|
| DATE, TIME | 06/18 12:18 |
| FAX NO./NAME | 612026591931 |
| DURATION | 00:00:27 |
| PAGE(S) | 01 |
| RESULT | OK |
| MODE | STANDARD ECM |

*faxed
1) cover sheet*

June 18, 2003

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

**2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850**

TO:

Kimberley A. Bradley

VOICE: (202) 367-7654
FAX: (202) 659-1931

FROM:

Paula Isler

Voice: (850) 413-6502
Fax: (850) 413-6503

E-mail: Pisler@psc.state.fl.us

RE:

Winstar Communications, LLC
(TA065)

Dear Ms. Bradley:

Payment for the 2002 Regulatory Assessment Fee was due January 30, 2003. As of this date, payment has still not been received. A delinquent notice was mailed on February 21, 2003 and it was signed for by P. McCaskill and delivered on February 25, 2003. On April 11th, I wrote you and explained that payment had not been received and enclosed a copy of the 2002 Regulatory Assessment Fee return form.

The fee is .0015% of a company's intrastate revenues, or \$50.00, whichever is greater. The fee is due even if a company never started operations or had any revenues. In addition, statutory penalty and interest charges are applicable.

Please pay the past due amount to avoid an enforcement docket from being established for violation of Rule 25-4.0161, Florida Administrative Code. Let me know if you have any questions.

STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



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

Public Service Commission

April 11, 2003

Ms. Kimberley A. Bradley, Sr. Director
Regulatory Affairs
Winstar Communications, LLC (TA065)
1850 M Street, Suite 300
Washington, DC 20036 5805

Dear Ms. Bradley:

The Regulatory Assessment Fee (RAF) is due by January 30th of each year for the preceding calendar year. For certificate holders, the RAF is owed even if a telecommunications company may not have started operations or had any revenues. If payment is made after the due date, then statutory penalty and interest charges are applicable.

Our records show that the 2002 RAF return notice was mailed on December 12, 2002, and a delinquent notice was mailed on February 20, 2003. As of this date, our records do not show receipt of the RAF return or payment. A copy of the 2002 RAF return form is enclosed.

If full payment, including penalty and interest charges, along with the RAF return form, are not received by April 30, 2003, a docket will be established. Your company will be fined or your certificate cancelled if you do not respond. Please note that once a docket has been established, **just paying the delinquent RAF amount will not prevent your certificate from being cancelled.**

If you wish to cancel your certificate voluntarily and leave in good standing with the Commission, your company should pay the past due amount in full, complete the 2002 RAF return form, either pay the 2003 RAF or provide a date certain it will be paid, and comply with the requirements of Rule 25-24.735, Florida Administrative Code, copy enclosed. Any unpaid RAFs, including penalty and interest charges, are turned over to the Florida Department of Financial Services for further collection efforts.

If you have any questions, please contact me at (850) 413-6502, by fax at (850) 413-6503, by e-mail at pisler@psc.state.fl.us, or by writing to me at the address below.

Sincerely,

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

Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosures

Alternative Local Exchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

TA065-02-0-R
 Winstar Communications, LLC
 1850 M Street, Suite 300
 Washington, DC 20036-5805

 CC: P. Isler

PERIOD COVERED:
 05/21/2002 TO 12/31/2002

FOR PSC USE ONLY

Check# _____

\$ _____ 0603006
 _____ 003001

\$ _____ P
 _____ 0603006
 _____ 004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

Please Complete Below If Official Mailing Address Has Changed

 (Name of Company) (Address) (City/State) (Zip)

| LINE NO. | ACCOUNT CLASSIFICATION | FLORIDA GROSS OPERATING REVENUE | INTRASTATE REVENUE |
|----------|---|---------------------------------|--------------------|
| 1. | Basic Local Services | \$ _____ | \$ _____ |
| 2. | Long Distance Services (Int. LATA only)** | _____ | _____ |
| 3. | Access Services | _____ | _____ |
| 4. | Private Line Services | _____ | _____ |
| 5. | Leased Facilities & Circuits Services | _____ | _____ |
| 6. | Miscellaneous Services | _____ | _____ |
| 7. | TOTAL REVENUES | | \$ _____ |
| 8. | LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back) | | _____ |
| 9. | Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8) | | _____ |
| 10. | Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015) | | _____ |
| 11. | Penalty for Late Payment (see "3. Failure to File by Due Date" on back) | _____ | |
| 12. | Interest for Late Payment (see "3. Failure to File by Due Date" on back) | _____ | |
| 13. | TOTAL AMOUNT DUE | | \$ _____ |

* These amounts must be intrastate only and must be verifiable.
 ** Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.

AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, **THE MINIMUM ANNUAL FEE IS \$50**

CURRENT COMPANY STATUS

- Facilities-Based Provider
- Reseller
- Other: _____

BILLING INFORMATION

Complete below if billing agent if other than yourself.

 (Name) (Address: City/State/Zip) (Telephone)

COMPANY INFORMATION

Do you lease telecommunications' facilities? YES NO
 If YES, who do you lease these facilities from? Name: _____
 Address: _____

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her duty shall be guilty of a misdemeanor of the second degree.

 (Signature of Company Official) (Title) (Date)

 (Preparer of Form - Please Print Name) Telephone Number () Fax Number ()

F.E.I. No. _____

25-24.735 Cancellation of a Certificate.

(1) The Commission may cancel an AAV service provider's certificate for any of the following reasons:

- (a) violation of the terms and conditions under which the authority was originally granted;
- (b) violation of Commission rules or orders;
- (c) violation of Florida statutes; or
- (d) failure to provide service for a period of 6 months.

(2) If a certificated AAV service provider seeks to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following information with its request:

- (a) the date the final Regulatory Assessment Fee was paid;
- (b) a statement of the reasons for cancellation;
- (c) a statement on the treatment of customer deposits and final bills; and
- (d) a representative copy of a customer notice regarding discontinuance of service.

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 350.127(1), 364.285, 364.337, 364.345 FS.

History--New 1-8-95.

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

TA065 Winstar Communications, LLC
1850 M Street, Suite 300
Washington, DC 20036-5805

COMPLETE THIS SECTION ON DELIVERY

| | |
|--|--|
| A. Received by (Please Print Clearly) | B. Date of Delivery 2-25-03 |
| C. Signature x <i>[Handwritten Signature]</i> | <input type="checkbox"/> Agent <input type="checkbox"/> Addressee |
| D. Is delivery address different from item 1? If YES, enter delivery address below: | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| |
|---|
| 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. |
| 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes |

7002 0860 0001 1755 8815

MCD Company Information for TA065

Printed on 07/15/2003 at 10:24:46 by PJI

Company Code: TA065
Complete Name: Winstar Communications, LLC
Mailing Name: Winstar Communications, LLC
Certificate No(s): 4025
Status: Active
Regulation Date: 05/21/2002
Bankruptcy: No
Company Liaison #1: Kimberley A. Bradley
Title: Senior Director, Regulatory Affairs
Mailing Address: 1850 M Street, Suite 300

Physical Location: Washington, DC 20036-5805
1850 M Street, Suite 300

Phone: Washington, DC 20036-5805
(202) 367-7654
Fax: (202) 659-1931

Related Dockets:

020054-TP Emergency joint application for approval of assignment of assets and AAV/ALEC Certificate No. 4025 and IXC Certificate No. 2699 from Winstar Wireless, Inc. to Winstar Communications, LLC.

030397-TP Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Winstar Communications, LLC.

COMPANY IDENTIFICATION

Printed on 03/26/2003 at 09:54:10 by PJI

Complete Name: Winstar Communications, LLC

Mailing Name: Winstar Communications, LLC

Company Code: TA065 FEID Number:

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

Reg. Date: 05/21/2002 Inactive Date:
 Service: ALX - Alternative Local Exchange
 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 9:32 AM 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