

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

<b>Date</b>	July 15, 2003	<b>Docket No.</b>	030615-TX
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<b>1. Division Name/Staff Name:</b>	Division of Competitive Markets & Enforcement/Isler
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**2. OPR: Division of Competitive Markets & Enforcement/Isler**

**3. OCR: Office of the General Counsel**

**4. Suggested Docket Title: Cancellation by Florida Public Service Commission of CLEC Certificate No. 4871 issued to COMUSA, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies and 25-24.835, F.A.C., ~~Records and Reports~~, Rules Incorporated.**

**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  
06278 JUL 15 8  
FPSC-COMMISSION CLERK

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  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

Public Service Commission

July 3, 2003

Mr. Davis Hamilton, Vice President  
COMUSA, Inc. (TX083)  
PO Box 72  
Orlando Beach, FL 32175-0072

Dear Mr. Hamilton:

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, via certified mail. On April 11<sup>th</sup>, 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.

Sincerely,

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

Paula J. Isler, Research Assistant  
Bureau of Service Quality

TMS #567

## 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

Mr. Davis Hamilton, Vice President  
 COMUSA, Inc. (TX083)  
 PO Box 72  
 Ormond Beach, FL 32175-0072

Dear Mr. Hamilton:

The Regulatory Assessment Fee (RAF) is due by January 30<sup>th</sup> 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. Our records also show that you have a small past due balance for late payment of the 2001 fee, which must be paid. A breakdown 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. Our records show that if a docket is established, this will be the company's second docket for the same rule violation. 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 25-24.820, 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](mailto: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

**PERIOD COVERED:**

01/01/2002 TO 12/31/2002

TX083-02-0-R  
 COMUSA, Inc.  
 P. O. Box 72  
 Ormond Beach, FL 32175-0072

cc: P. Isler

**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)
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LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ _____	\$ _____
2.	Long Distance Services (intraLATA only)**	_____	_____
3.	Access Services	_____	_____
4.	Private Line Services	_____	_____
5.	Leased Facilities & Circuits Services	_____	_____
6.	Miscellaneous Services	_____	_____
7.	<b>TOTAL REVENUES</b>		\$ _____
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.	<b>TOTAL AMOUNT DUE</b>		\$ _____

\* 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)
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**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. _____	

**COMUSA, Inc. (TX083)**  
**Certificate No. 4871, Effective 05/15/97**

<b>Year</b>	<b>Fee</b>	<b>Penalty</b>	<b>Interest</b>	<b>Notes</b>
1997	N/A	\$12.50 - Due 6.09 - Paid <b>\$ 6.41 - Bal.</b>	\$6.50	Payment was due 01/30/98. The company's payment for the RAF was postmarked 01/30/99, leaving a balance of \$12.91.
2001	N/A	\$2.50	\$0.50	Payment was due 01/30/02. The company's payment for the RAF was postmarked 02/01/02, leaving a balance of \$3.00.
2002				Payment was due by 01/30/03. Payment has not been received. The RAF is .0015% of a company's intrastate revenues, or \$50, whichever is greater. In addition, the company owes statutory penalty and interest charges.
<b>Total</b>		<b>\$8.91</b>	<b>\$7.00</b>	<b>Total past due for prior years (not including 2002): \$15.91</b>

**25-24.820 Revocation of a Certificate.**

(1) The Commission may on its own motion, after notice and opportunity for hearing, revoke a company's certificate for any of the following reasons:

- (a) Violation of a term or condition under which the authority was originally granted;
- (b) Violation of Commission rule or order;
- (c) Violation of Florida Statute; or
- (d) Violation of a price list standard.

(2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request. Cancellation of a certificate shall be ordered subject to the holder providing the required information.

- (a) A statement of intent and date certain to pay regulatory assessment fee.
- (b) A statement of why the certificate is proposed to be canceled.
- (c) A statement as to how customer deposits and final bills will be handled.
- (d) Proof of individual customer notice regarding discontinuance of service.

Specific Authority 350.127(2) FS.  
Law Implemented 364.335, 364.345 FS.  
History--New 12-27-95.

## MCD Company Information for TX083

Printed on 07/15/2003 at 10:29:46 by PJI

Company Code: TX083  
Complete Name: COMUSA, Inc.  
Mailing Name: COMUSA, Inc.  
Certificate No(s): 4871  
Status: Active  
Regulation Date: 05/15/1997  
Bankruptcy: No  
Company Liaison #1: Davis Hamilton  
Title: Vice President  
Mailing Address: P. O. Box 72

Physical Location: Ormond Beach, FL 32175-0072  
635 Marina Point Drive

Phone: Daytona Beach, FL 32114-5043  
(386) 672-1027  
Fax: (386) 676-2182

### Related Dockets:

970110-TX Application for certificate to provide alternative local exchange telecommunications service by COMUSA, Inc.

970688-TP Request for approval of resale agreement negotiated by BellSouth Telecommunications, Inc. with COMUSA, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

980073-TP Petition by Sprint-Florida, Incorporated for approval of resale agreement with COMUSA, Inc.

981965-TX Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 4871 issued to COMUSA, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

991911-TP Request by BellSouth Telecommunications, Inc. for approval of resale agreement with COMUSA, Inc.

011165-TP Request by BellSouth Telecommunications, Inc. for approval of resale agreement with COMUSA, Inc.

030395-TP Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and COMUSA, Inc.







**COMPANY IDENTIFICATION**

Printed on 03/18/2003 at 09:44:05 by PJI

Complete Name: COMUSA, Inc.

Mailing Name: COMUSA, Inc.

Company Code: TX083 FEID Number:

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

Reg. Date: 05/15/1997 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
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Last modification was made on Thursday, December 5, 2002 at 9:33 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