

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

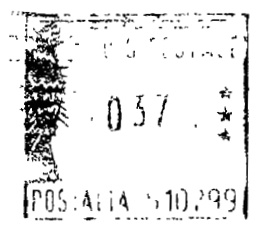
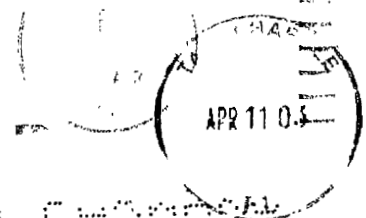
Date	July 23, 2003	Docket No.	030673 - TX
1. Division Name/Staff Name:		Division of Competitive Markets & Enforcement/Isler	
2. OPR: Division of Competitive Markets & Enforcement/Isler			
3. OCR: Office of the General Counsel			
4. Suggested Docket Title: Cancellation by Florida Public Service Commission of CLEC Certificate No. 8246 issued to F.J.M.R. Investments, Inc. d/b/a Sunshines Communications Network for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies and 25-24.835, F.A.C., 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:			
<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

06601 JUL 23 '03

FPSC-COMMISSION CLERK

State of Florida  
**Public Service Commission**  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



POSTAGE WILL BE PAID BY ADDRESSEE

Mr. Ramy E-Ghaly, President  
Sunshines Communications Network (TX692)  
610 North Ridgewood Avenue  
Daytona Beach, FL 32114-2143

32399/0850 

TX692

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

STATE OF FLORIDA



#293  
DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

April 11, 2003

Mr. Ramy E-Ghaly, President  
Sunshines Communications Network (TX692)  
610 North Ridgewood Avenue  
Daytona Beach, FL 32114-2143

Dear Mr. E-Ghaly:

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.

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.**

In addition to nonpayment of the Regulatory Assessment Fee, our records show that the US Postal Service has returned mail to us that was addressed to your company. Rule 25-24.835, Florida Administrative Code, incorporates Rule 25-24.480, Florida Administrative Code, which provides that telecommunications companies must provide the Commission with its updated liaison, address, and telephone numbers within 10 days of a change. Please provide this updated information by April 30, 2003.

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.

Mr. Ramy E-Ghaly, President  
Page 2  
April 11, 2003

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 black ink that reads "Paula J. Isler". The signature is written in a cursive style with a large initial "P" and a distinct "J" and "I".

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

# Alternative Local Exchange Company Regulatory Assessment Fee Return

**STATUS:**

- Actual Return  
 Estimated Return  
 Amended Return

**PERIOD COVERED:**  
12/09/2002 TO 12/31/2002

## Florida Public Service Commission

*(See Filing Instructions on Back of Form)*

TX692-02-0-R  
 Sunshines Communications Network  
 610 North Ridgewood Avenue  
 Daytona Beach, FL 32114-2143  
  
 CC: P. Isler

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

Check# \_\_\_\_\_

\$ \_\_\_\_\_ 0603006  
 \_\_\_\_\_ 003001

\$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603006  
 \_\_\_\_\_ 004011

\$ \_\_\_\_\_ I

Postmark Date \_\_\_\_\_

Initials of Preparer \_\_\_\_\_

\_\_\_\_\_ (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 (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)

### 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.J. No. \_\_\_\_\_

**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.

**25-24.835 Rules Incorporated.**

The following rules are incorporated herein by reference and apply to alternative local exchange companies.

<u>Section</u>	<u>Title</u>	<u>Portions Applicable</u>
25-4.0161	Regulatory Assessment Fees	All
25-4.043	Response to Commission Staff Inquiries	All
25-4.036	Design and Construction of Plant	All
25-4.038	Safety	All
25-4.160	Operation of Telecommunications Relay Service	All
25-24.480	Records and Reports; Rules Incorporated	Subsection (2)

**Specific Authority: 350.127(2), 364.337(2) 427.704(8), F.S.**

**Law Implemented: 364.183, 364.336, 364.337(2), F.S.**

**History--New 12/27/95, Amended 04/08/98, 06/24/99.**

**25-24.480 Records & Reports; Rules Incorporated.**

(1) The following rules are incorporated herein by reference and apply to interexchange companies. In these rules, the word "local" should be omitted or interpreted as "toll", as they shall apply only to interexchange and not local service.

<u>SECTION</u>	<u>TITLE</u>	<u>PORTIONS NOT APPLICABLE</u>
25-4.019	Records and Reports in General	None
25-4.020	Location and Preservation of Records	Subsections(1), (3)
25-4.023	Report of Interruptions	Subsection (1)
25-4.043	Inquiries	None
25-4.0161	Regulatory Assessment Fees	None
25-4.079	Hearing/Speech Impaired Persons	Subsections (1), (2), (3), and (5)
25-4.115	Directory Assistance	Subsections (1), (2)

(2) Each company shall file updated information for the following items with the Division of Telecommunications and the Division of Records and Reporting within 10 days after such changes occur.

(a) The address of the certificate holder's main corporate and Florida offices (if any) including street name and address and post office box, city, state and zip code.

(b) Telephone number, name, and address of the individual who is to serve as primary liaison with the Commission in regards to the ongoing Florida operations of the certificated company.

**Specific Authority 350.127(2) FS.**

**Law Implemented 350.113, 350.115, 350.117, 364.17, 364.18, 364.185, 364.337 FS.**

**History--New 2-23-87, Amended 4-5-88, 7-11-88, 6-3-90, 10-25-90, 11-20-91, 12-29-91, 12-22-92, 12-27-94, 3-13-96, 10-1-96.**

STATE OF FLORIDA

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



OFFICE OF GENERAL COUNSEL  
HAROLD A. MCLEAN  
(850) 413-6199

## Public Service Commission

February 19, 2003

TX692-02-0-D  
Sunshines Communications Network  
610 North Ridgewood Avenue  
Daytona Beach, FL 32114-2143

Dear Certificate Holder:

The Division of the Commission's Clerk and Administrative Services has forwarded your account to our office to address the nonpayment of the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 2002, which was due January 30, 2003. The RAFs return form was mailed to you on December 15, 2002, and to date, Commission records reflect that payment has not been received.

According to Florida Law, you are required to add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof, beyond the due date, up to a maximum of 25% in addition to the delinquent amount due. In addition, pursuant to Section 364.285, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each offense, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 364.

Utilities are charged with knowledge of our rules and statutes. Moreover, it is general Commission practice that all utilities that apply for **Alternative Local Exchange** certificate receive a copy of all applicable rules. Further, in accordance with Section 364.335, Florida Statutes, as part of the application process, utilities provide an affidavit indicating that they have read and understood the applicable rules.

If you wish to request another form, please contact Jackie Knight at the number below. The payment should be identified with the company code and the company's name. Failure to provide payment within 15 days of this notice will result in the establishment of a docket to address your failure to return the RAFs form and pay RAFs in accordance with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. As specified above, pursuant to Section 364.285, Florida Statutes, the Commission may impose a fine or cancel your certificate. Therefore, it is important that you address this matter now.

If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions concerning this letter please contact Jackie Knight at (850) 413-6267 or via Internet e-mail at [jknight@psc.state.fl.us](mailto:jknight@psc.state.fl.us).

Sincerely,

A handwritten signature in black ink, appearing to read "H. McLean".

Harold McLean  
General Counsel

KMP

Enclosure

cc: Jackie Knight, Bureau of Administrative Services/Fiscal Services Section



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**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:

TX692 Sunshines Communications Network  
 610 North Ridgewood Avenue  
 Daytona Beach, FL 32114-2143

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  
**X**  Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

- type
- Certified Mail  Express Mail
  - Registered  Return Receipt for Merchandise
  - Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
 (Transfer from service label)

7002 0860 0001 1756 0054

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

32114+2143 (950) 259-3333

*mwf*

437  
 FEB 21 2002

FEB 21 2002

7002 0860 0001 1756 0054



**CERTIFIED MAIL**

State of Florida  
 Public Service Commission  
 2540 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-0850  
 CIVIL SERVICE  
 RETITIVE SERVICES  
 2002 APR - 3

## MCD Company Information for TX692

Printed on 07/23/2003 at 09:57:10 by PJI

Company Code: TX692  
Complete Name: F.J.M.R. Investments, Inc. d/b/a Sunshines Communications Network  
Mailing Name: Sunshines Communications Network  
Certificate No(s): 8246  
Status: Active  
Regulation Date: 12/09/2002  
Bankruptcy: No  
Company Liaison #1: Ramy El-Ghaly  
Title: President  
Mailing Address: 610 North Ridgewood Avenue

Physical Location: Daytona Beach, FL 32114-2143  
610 North Ridgewood Avenue

Phone: Daytona Beach, FL 32114-2143  
(386) 255-5750  
Fax: (386) 255-0638

### Related Dockets:

020974-TX      Application for certificate to provide alternative local exchange telecommunications service by F.J.M.R. Investments, Inc. d/b/a Sunshines Communications Network.

**COMPANY IDENTIFICATION**

Printed on 03/20/2003 at 11:48:24 by SAH

Complete Name: F.J.M.R. Investments, Inc. d/b/a Sunshines Communications Network

Mailing Name: Sunshines Communications Network

Company Code: TX692 FEID Number: 59-3681688

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

Reg. Date: 12/09/2002 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
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Last modification was made on Thursday, December 19, 2002 at 2:18 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 01/07/2003  
             RAF form mailed on 12/20/2002  
             RAF form mailed on 12/19/2002