

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date	July 30, 2003	Docket No.	030734-TC
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 PATs Certificate No. 8103 issued to Jim H. Fluck d/b/a BSI 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 RECEIVED
06912 JUL 30 0
PSC-CCM 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
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

May 21, 2003

Mr. Jim Fluck, President
BSI (TG882)
36 Terry Court
Athens, GA 30607-4002

Dear Mr. Fluck:

The Regulatory Assessment Fee (RAF) is due by January 30th of each year for the preceding calendar year and is .0015% of a company's intrastate revenues, or \$50.00, whichever is greater. Our records show that the 2002 RAF return form was mailed to us showing revenues in the amount of \$0, but payment for the minimum fee was not included. Since payment is late, statutory penalty and interest charges are applicable. If payment is postmarked by May 30th, this means the company owes a total of \$62 (\$50 fee, \$10 penalty, \$2 interest). If payment is postmarked between May 31st and June 29th, this means the company owes a total of \$65 (\$50.00 fee, \$12.50 penalty, \$2.50 interest). A copy of the 2002 RAF return form is enclosed.

If full payment, including penalty and interest charges, is not received by June 13, 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, comply with the requirements of Rule 25-24.514, Florida Administrative Code, copy enclosed, and either pay the 2003 RAF or provide a date certain it will be paid. Any unpaid RAFs, including penalty and interest charges, are turned over to collections.

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

Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

TG882-02-0-R
 BSI
 36 Terry Court
 Athens, GA 30607-4002
 CC: P. Isler

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

FOR PSC USE ONLY	
Check#	_____
\$	0603002
	003001
\$	P
	0603002
	004011
\$	I
Postmark Date	12/31/02
Initials of Preparer	JK

Please Complete Below If Official Mailing Address Has Changed

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

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	\$ 0
2.	Gross Intrastate Revenue	0
3.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	(0)
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	\$ 0
5.	Regulatory Assessment Fee Due – (Multiply Line 4 by 0.0015)	0
6.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	0
7.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	0
8.	TOTAL AMOUNT DUE	\$ 0

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

THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED

9. Number of pay telephones in operation at close of period covered by this Return 0

* These amounts must be intrastate only and must be verifiable.

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 official duty shall be guilty of a misdemeanor of the second degree.

J. H. Fluck
 (Signature of Company Official)
J. H. Fluck
 (Preparer of Form - Please Print Name)

President
 (Title)
12-30-02
 (Date)
 Telephone Number (706) 353-1366 Fax Number (706) 353-3090
 FEI No _____

25-24.514 Cancellation of a Certificate.

(1) The Commission may cancel a company'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 six (6) months.

(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.

- (a) Statement of intent and date to pay Regulatory Assessment Fee.
- (b) Statement of why the certificate is proposed to be cancelled.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 350.127(1), 364.03, 364.285, 364.337, 364.345 FS.

History--New 1-5-87.

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

TG882-02-0-D
BSI
36 Terry Court
Athens, GA 30607-4002

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 **Pay Telephone** 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.

Sincerely,

Harold McLean
General Counsel

KMP
Enclosure

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

MCD Company Information for TG882

Printed on 07/29/2003 at 10:06:06 by PJI

Company Code: TG882
Complete Name: Jim H. Fluck d/b/a BSI
Mailing Name: BSI
Certificate No(s): 8103
Status: Active
Regulation Date: 05/21/2002
Bankruptcy: No
Company Liaison #1: Jim Fluck
Title: President
Mailing Address: 36 Terry Court

Physical Location: Athens, GA 30607-4002
122 East Towne Place

Phone: Titusville, FL 32796-3044
(706) 353-1366
Fax: (706) 353-3090

Related Dockets:

020245-TC

Application for certificate to provide pay telephone service by
Jim H. Fluck d/b/a BSI.

