

**REQUEST TO ESTABLISH DOCKET**  
(Please Type)

<b>Date</b>	August 18, 2003	<b>Docket No.</b>	030032-TT
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<b>1. Division Name/Staff Name:</b>	Division of Competitive Markets & Enforcement/Isler
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<b>2. OPR:</b>	Division of Competitive Markets & Enforcement
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<b>3. OCR:</b>	Office of the General Counsel
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<b>4. Suggested Docket Title:</b>	Imposition of penalty by Florida Public Service Commission against IXC
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Registration No. TJ727, issued to Talk and Pay, Inc., for violation of Section 364.336, Florida Statutes.

**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:**

XX Documentation is attached.

Documentation will be provided with recommendation.

DOCUMENT NUMBER DATE  
07605 AUG 18 03  
FPSC-COMMISSION CLERK

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

STATE OF FLORIDA



# 431  
DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

April 28, 2003

Mr. Paul Handerhan, President  
Talk and Pay, Inc. (TJ727)  
1205 Hillsboro Mile, #303  
Hillsboro Beach, FL 33062-1414

Dear Mr. Handerhan:

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 May 19, 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 25-24.474, 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

# Interexchange Company Regulatory Assessment Fee Return

**STATUS:**

- Actual Return
- Estimated Return
- Amended Return

**PERIOD COVERED:**

12/16/2002 TO 12/31/2002

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

TJ727-02-0-R  
 Talk and Pay, Inc.  
 1205 Hillsboro Mile, #303  
 Hillsboro Beach, FL 33062-1414  
 cc: P. Isler

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

Check# \_\_\_\_\_  
 \$ \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 003001  
 \$ \_\_\_\_\_ P \_\_\_\_\_  
 \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 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.	Long Distance Services	\$ _____	\$ _____
2.	Access Services	_____	_____
3.	Private Line Services	_____	_____
4.	Leased Facilities & Circuits Services	_____	_____
5.	Miscellaneous Services	_____	_____
6.	<b>TOTAL Telephone Services</b>	\$ _____	\$ _____
7.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	( _____ )	( _____ )
8.	<b>TOTAL REVENUES</b> For Regulatory Assessment Fee Calculation	_____	_____
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)	_____	_____
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
12.	<b>TOTAL AMOUNT DUE</b>	_____	\$ _____

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

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

**CURRENT COMPANY STATUS**

- Facilities-Based Carrier
- Reseller
- Call Aggregator
- Alternate-Operator Service
- Rebiller
- Other: \_\_\_\_\_

**BILLING INFORMATION**

Complete below if billing agent if other than yourself.

\_\_\_\_\_  
 (Name) (Address: City/State/Zip) (Telephone)  
 What is the total amount of customer deposits collected? Amount: \$ \_\_\_\_\_ for 19 \_\_\_\_\_  
 What is the total amount of bond held (if applicable)? Amount: \$ \_\_\_\_\_ Expires: \_\_\_\_\_

**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. \_\_\_\_\_

**25-24.474 Cancellation of a Certificate.**

(1) The Commission may on its own motion 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 rule or order; or
- (c) Violation of Florida Statutes.

(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.
- (c) A statement on treatment of customer deposits and final bills.
- (d) Proof of individual customer notice regarding discontinuance of service.

(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), 364.285, 364.337, 364.345 FS.

History—New 2-23-87, Amended 3-13-96.

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

TJ727-02-0-D  
Talk and Pay, Inc.  
1205 Hillsboro Mile. #303  
Hillsboro Beach, FL 33062-1414

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 **Interexchange 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](mailto:jknight@psc.state.fl.us).

Sincerely,

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

Harold McLean  
General Counsel

KMP

Enclosure

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

State of Florida  
**Public Service Commission**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

7000 7  
DIVISION OF  
REGULATIVE SERVICES

TJ727-02-0-D  
Talk and Pay, Inc.  
1205 Hillsboro Mile, #303  
Hillsboro Beach, FL 33062-1414

February 19, 2003

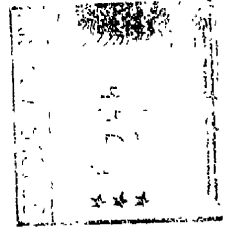
**CERTIFIED MAIL**



RETURN TO SENDER FOR REASON SHOWN

7002 0860 0001 1756 4113

10189 Ague Vista Way  
Boce Rd  
33428



33062+000000000000



## MCD Company Information for TJ727

Printed on 08/14/2003 at 14:38:18 by PJI

Company Code: TJ727  
Complete Name: Talk and Pay, Inc.  
Mailing Name: Talk and Pay, Inc.  
Certificate No(s): 8247  
Status: Active  
Regulation Date: 12/16/2002  
Bankruptcy: No  
Company Liaison #1: Paul Handerhan  
Title: President  
Mailing Address: 1205 Hillsboro Mile, #303  
  
Physical Location: Hillsboro Beach, FL 33062-1414  
1205 Hillsboro Mile, #303  
  
Phone: Hillsboro Beach, FL 33062-1414  
(954) 255-8797  
Fax: (954) 360-9169

### Related Dockets:

021027-TI Application for certificate to provide interexchange telecommunications service by Talk and Pay, Inc.

**COMPANY IDENTIFICATION**

Printed on 04/18/2003 at 12:06:08 by PJI

Complete Name: Talk and Pay, Inc.

Mailing Name: Talk and Pay, Inc.

Company Code: TJ727                      FEID Number: 55-0791710

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

Reg. Date: 12/16/2002                      Inactive Date:  
 Service: IXC - Interexchange Telephone  
 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 2:42 PM by Jackie Knight

Period covered: 01/01/2002 through 12/31/2002                      RAF rate:  
 Operating rev:                                  \$0.00                      Interstate 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