

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of PATS  
Certificate for violation of Rule  
25-4.0161, F.A.C., Regulatory  
A s s e s s m e n t F e e s ;  
Telecommunications Companies.

Lisa Karavokiris  
J.K. Miami Corp.  
Pancho Villas, Inc. d/b/a Taco  
Tex  
Terry Alan Hall d/b/a  
Communicall  
AmeriCall, Inc.  
Publicall Telecommunications  
Inc.  
K.C.I. Original Inc.  
MAH Communications, Inc.  
Donatella Communications LLC

DOCKET NO. 030691-TC  
DOCKET NO. 030692-TC  
DOCKET NO. 030693-TC  
  
DOCKET NO. 030706-TC  
  
DOCKET NO. 030707-TC  
DOCKET NO. 030710-TC  
  
DOCKET NO. 030718-TC  
DOCKET NO. 030720-TC  
DOCKET NO. 030722-TC

ORDER NO. PSC-03-1151-PAA-TC  
ISSUED: October 17, 2003

The following Commissioners participated in the disposition of  
this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER IMPOSING PENALTIES AND REQUIRING PAYMENT OF  
DELINQUENT REGULATORY ASSESSMENT FEES, OR CANCELING  
PAY TELEPHONE TELECOMMUNICATIONS CERTIFICATES

BY THE COMMISSION:

DOCUMENT NUMBER-DATE

10171 OCT 17 8

FPSC-COMMISSION CLERK

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NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Each of the telecommunications providers listed below have not paid their 2001 and 2002 Regulatory Assessment Fees, plus statutory penalty and interest charges. Therefore, it appears the companies have failed to comply with Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code, and have not requested cancellation of their respective certificates in compliance with Rule 25-24.474, Florida Administrative Code.

<u>ENTITY'S NAME</u>	<u>CERTIFICATE NO.</u>
Lisa Karavokiris	3775
J.K. Miami Corp.	5538
Pancho Villas d/b/a Taco Tex	4163
Terry Alan Hall d/b/a Communicall	4167
AmeriCall, Inc.	5512
Publicall Telecommunications Inc.	5909
K.C.I. Original Inc.	7007
MAH Communications, Inc.	7432
Donatella Communications LLC	7370

Accordingly, we find it appropriate to assess a \$1000 penalty against each entity listed above or cancel each company's respective certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code, if the penalty and the Regulatory Assessment Fees, including statutory penalty and interest charges,

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are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The penalty should be paid to the Florida Public Service Commission and forwarded to the Department of Financial Services for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If a company does not protest the Commission's Order or the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, are not received, that company's certificate, as listed above, should be cancelled administratively and the collection of the past due fees should be referred to the Department of Financial Services for further collection efforts. If a company's certificate, as listed above, is cancelled, the respective company should be required to immediately cease and desist providing interexchange carrier telecommunications services in Florida.

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.336, 364.285, and 364.337, Florida Statutes. Pursuant to Section 364.336, Florida Statutes, cancellation of an entity's certificate does not relieve the obligation to pay Regulatory Assessment Fees, including statutory penalty and interest charges, if the certificate was active during any portion of the calendar year including the year of cancellation.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that each of the entities listed herein shall pay the past due Regulatory Assessment Fees, statutory penalties, interest charges, and a \$1000 penalty to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within 14 days after the issuance of the Consummating Order. The penalties will be transmitted to the Department of Financial Services for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that should any of the entities fail to comply with this Order, that entity's certificate shall be canceled, effective on the date of issuance of the Consummating Order; the collection of the past due fees shall be referred to the Department of

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Financial Services for further collection efforts; and the respective docket shall be closed. It is further

ORDERED that if an entity's certificate is canceled in accordance with this Order, that entity shall immediately cease and desist providing Pay Telephone Telecommunications services in Florida. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that, if a protest to this Order is filed, the protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, each docket shall be closed upon payment of the penalty, and fees, or upon cancellation of the certificate.

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By ORDER of the Florida Public Service Commission this 17th  
Day of October, 2003.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records and Hearing  
Services

( S E A L )

JPR

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on November 7, 2003.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.