

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

<b>Date</b>	October 27, 2003	<b>Docket No.</b>	031013 - TX
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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>	Cancellation by Florida Public Service Commission of CLEC Certificate No. 7737 issued to Kernan Associates, Ltd. d/b/a St. Johns Estates, for violation of Rule 25-24.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.
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**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.**

DOCUMENT NUMBER 10618 OCT 28 8 PSC-COMMISSION CLERK

**Paula Isler**

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7-2545

**From:** NET SatisFAXtion [postmaster]  
**To:** Paula Isler  
**Subject:** 407 628 2900, 2 page(s)

This is a **FAX** message received by **NET SatisFAXtion**

Received: 6/25/2003 12:02 PM  
Total pages: 2  
CSID: 407 628 2900  
Transfer time: 0:00:47  
Transfer rate: 14400  
Error count: 0  
Port used: Rockwell 56000 External M... #9  
Status: Success



FAX.TIF

June 25, 2003

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

TO:

John Murphy, Jr.

VOICE: (407) 628-2900  
FAX: (407) 628-8740

FROM:

Paula Isler

Voice: (850) 413-6502  
Fax: (850) 413-6503

E-mail: [Pisler@psc.state.fl.us](mailto:Pisler@psc.state.fl.us)

RE:

Kernan Associates, Ltd. d/b/a St. Johns  
Estates  
(TX545)

*Paula,*

*Copy of check*

*Placed in mail box*

*attached for your*

*records.*

*Chaz*

Assessment Fee was due January 30, 2003. As of this date,  
A delinquent notice was mailed on February 21, 2003  
on February 29, 2003. 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.

JUN-25-2003 12:06

VERY SMART NETWORKS

407 628 2900

P.02

**ST JOHN'S TECHNOLOGIES**

2221 LEE ROAD SUITE 15  
WINTER PARK, FL 32789-3145  
407-628-2900

63-215/631

DATE June 25 2003

PAY  
TO THE  
ORDER OF

State of Florida - Public Service Commission

\$ 50.00

Fifty dollars and 00/100

DOLLARS



**SUNTRUST**  
SunTrust Bank

**COPY**

FOR

2002 Regulatory Assessment Fee

**REDACTED**

TOTAL P.02

TRANSMISSION VERIFICATION REPORT

TIME : 06/25/2003 09:42  
NAME :  
FAX :  
TEL :

DATE, TIME	06/25 09:47
FAX NO./NAME	614076238740
DURATION	00:00:28
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

*faxed  
1) cover sheet*

June 25, 2003

**STATE OF FLORIDA**



**PUBLIC SERVICE COMMISSION**

**2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850**

**TO:**

John Murphy, Jr.

VOICE: (407) 628-2900  
FAX: (407) 628-8740

**FROM:**

Paula Isler

Voice: (850) 413-6502  
Fax: (850) 413-6503

E-mail: [Pisler@psc.state.fl.us](mailto:Pisler@psc.state.fl.us)

**RE:**

Kernan Associates, Ltd. d/b/a St. Johns  
Estates  
(TX545)

Dear Mr. Murphy:

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 and it was signed for and delivered on February 29, 2003. 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.

STATE OF FLORIDA

# 268

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. John Murphy, Jr., General Partner  
St. Johns Estates (TX545)  
2221 Lee Road, Suite 15  
Winter Park, FL 32789-1864

Dear Mr. Murphy:

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.**

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

TX545-02-0-R  
 St. Johns Estates  
 2221 Lee Road, Suite 15  
 Winter Park, FL 32789-1864  
 CC: P. Isler

**FOR PSC USE ONLY**

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

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

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

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

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

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

**PERIOD COVERED:**  
 01/01/2002 TO 12/31/2002

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**

( ) Facilities-Based Provider	<b>CURRENT COMPANY STATUS</b> ( ) Reseller ( ) Other: _____
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**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.I. 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 cancelled.
- (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), F.S.**

**Law Implemented: 364.335, 364.345, F.S.**

**History: New 12/26/95.**

**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:

TX545 St. Johns Estates  
2221 Lee Road, Suite 15  
Winter Park, FL 32789-1864

**COMPLETE THIS SECTION ON DELIVERY**

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

Rita Baulie 2-24-03

C. Signature

X *Rita Baulie*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  
Enter delivery address below:  No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number

7002 0860 0001 1756 4816

(Transfer from serv)

**COMPANY IDENTIFICATION**

Printed on 03/20/2003 at 10:29:03 by SAH

Complete Name: Kernan Associates, Ltd. d/b/a St. Johns Estates

Mailing Name: St. Johns Estates

Company Code: TX545                      FEID Number: 59-3597801

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

Reg. Date: 03/05/2001                      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 9:38 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