

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

<b>Date</b>	October 28, 2003	<b>Docket No.</b>	031024-TX
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<b>1. Division Name/Staff Name:</b>	Competitive Markets & Enforcement/HAWKINS (HAWKINS)
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<b>2. OPR:</b>	HAWKINS
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<b>3. OCR:</b>	
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<b>4. Suggested Docket Title:</b>	Request for cancellation of CLEC Certificate No. 7724 by Everest Broadband Networks of Florida, Inc. , effective October 6, 2003.
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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:**

**Yes**      **Documentation is attached.**

             **Documentation will be provided with recommendation.**

10751 OCT 30 2003  
FREC-ADMINISTRATIVE CLERK

RAF3

BPH  
10/27/03

COMPANY NAME: Everest Broadband Networks of Florida, Inc. CO. CODE: TX541

COMPANY LIAISON: Herbert Hirsch, VP Jeffrey A. Feldman, Pres.

DOCKET NO.: \_\_\_\_\_ CERTIFICATE NO.: 7724 EFFECTIVE: 02/23/01

RAF RETURN NOTICE: \_\_\_\_\_

2002 Date Delivered: \_\_\_\_\_ Signed for by: \_\_\_\_\_  
DELINQUENT NOTICE: 02/25/03 Name illegible

OTHER RETURNED MAIL: \_\_\_\_\_

CCA'S RETURNED MAIL: \_\_\_\_\_

YEAR(s) RAFs NOT PAID: 2002

YEAR(s) PENALTIES & INTEREST NOT PAID: 2001, 2002

REVENUES/YEAR:	Amount	Year	Date paid
	\$0	2001	06/10/02

DATE LOTUS CHECKED FOR PAYMENT: \_\_\_\_\_

Also, TJ 457

OTHER INFORMATION

03/19/03 - Fiscal advised that this company has not paid 2002 RAF.

04/11/03 - Wrote company (mailed) and advised to pay RAF to avoid a docket

from being established. Follow up 04/30/03. TMS # 267

6/25/03 - Jaxed Co. 4th notice note attempting  
collection of 2002 RAF.

6/26/03 - v/in msg. @ 9:25 am from JF.

201-390-3726-V, 201-944-7469-F

Cont.

6/26/03 - Called JF @ 10 am. Sd. they do not operate in FL & wants to cancel the cert. Sd. Hirsch has not worked there in about 6 mo., change liaison to him. Needs forms & sample letter req. cancellation w/ required info.

- Checked & found Co. also has IXC cert (TS457).

- Emailed CCA w/ MCD update.

6/27/03 - Faxed note, cancel rules, 2002 RAF forms for both certs., 2001 breakdowns for both certs., & 2003 form for TX541.

10/16/03 - From Co. - Furn. of 2001 P&I, 2002 RAF, P&I, & 2003 RAF, along w/ letter requesting cancellation of certificates.

10/19/03 - JF called @ 2:10 pm & confirmed we had rec'd everything Adv. yes.

10/27/03 - Forwarded CLEC file to J Bilchrist for handling voluntary cancella, Eff. 10/6/03.

Paula Isler

79C

**From:** Kflynn@psc.state.fl.us  
**Sent:** Friday, October 10, 2003 12:11 PM  
**To:** PISLER@psc.state.fl.us; VMCKAY@psc.state.fl.us; SMOSES@psc.state.fl.us;  
KFLYNN@psc.state.fl.us  
**Subject:** New filing in Docket No. 030790-TI (Everest Broadband Networks of Florida, Inc.)

DOCKET TITLE = Cancellation of tariff and removal from register by Florida Public Service Commission of IXC Registration No. TJ457 issued to Everest Broadband Networks of Florida, Inc. for violation of Section 364.336, Florida Statutes.  
UTILITY NAME = Everest Broadband Networks of Florida, Inc.

DOCUMENT DESCRIPTION = Everest (Traverso) - Copy of 9/15/03 letter forwarding "full payments of two regulatory assessment fees along with zero returns" and requesting voluntary cancellation of CLEC (TX541) and IXC (TJ457), Dep D386 dated 10/10/03.

DOCUMENT PATH =  
file://L:\PSC\LIBRARY\FILINGS\03\09866-03

Document ID = 09866-03  
Document Filed 10/09/03

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The filing described above is now available in PDF format, and may also be available in WordPerfect or other formats.

To access it, click on the DOCUMENT PATH link. This will pop up a Windows Explorer window. You will see the PDF (Adobe Acrobat) version; you will also see other versions if they exist. Double-click on the preferred version and the document will open.

If you need to cut/paste/search in the document and find you can't, try later when the reformatted version is available. (For more information, see PDF Tips on the How To menu.)

You can also go to the docket in CMS by triple-clicking on the DOCKET NUMBER, typing ctrl-C to copy, and using the paste icon to paste the docket number into the query line in CMS.

This is an automatically generated e-mail; no response/reply is necessary.

030790-T1



EPIC DATE

September 15, 2003

Florida Public Service Commission  
2540 Shumard oak blvd  
Tallahassee, Florida 32399-0850  
ACCT# TX541 AND TJ457

Dear: Paula Isler

Please voluntarily cancel Everest's CLEC and IXC certificates since the company does not provide local services in Florida, the company has no customers. Full payments of the two regulatory assessment fees are enclosed along with the zero returns.

Your help in his matter will be greatly appreciated.  
Please send all information to Michael Traverso at Two Executive Drive Suite 700  
Fort Lee, NJ 07024.

  
Michael Traverso  
Controller  
(201) 905-8344

2003 OCT -6 AM 9:38  
OFFICE OF  
COMPETITIVE SERVICES

OCT -6 PM 4:15  
COMMISSION CLERK  
ADMINISTRATIVE SERVICES

Everest Broadband Networks  
Two Executive Drive - Suite 700  
Fort Lee, New Jersey 07024  
Tel: 800.918.1900  
Fax: 201.944.7469  
www.everestbroadband.com

# Interexchange Company Regulatory Assessment Fee Return

**STATUS:**  
 Actual Return  
 Estimated Return  
 Amended Return

**PERIOD COVERED:**  
 01/01/2003 TO 12/31/2003

Florida Public Service Commission  
 (See Filing Instructions on Back of Form)

TJ457-03-0-R  
 Everest Broadband Networks of Florida, Inc.  
 One Executive Drive, Suite 600  
 Fort Lee, NJ 07024-3381

**FOR PSC USE ONLY**  
 Check# 15023  
 \$ 50.00 0603001  
 003001  
 \$ \_\_\_\_\_ P. 0603001  
 004011  
 \$ \_\_\_\_\_ I  
 Postmark Date 10/1/03  
 Initials of Preparer RT

Please Complete Below If Official Mailing Address Has Changed

\_\_\_\_\_  
 (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 For Regulatory Assessment Fee Calculation</b>	_____	_____
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. \_\_\_\_\_

*aha*

CK# 15023  
 CK Amt  
 P 2.50  
 I 2.50  
 Rec'd 10/1/03  
 RT

**COMPANY IDENTIFICATION**

Printed on 03/20/2003 at 10:18:13 by SAH

Complete Name: Everest Broadband Networks of Florida, Inc.

Mailing Name: Everest Broadband Networks of Florida, Inc.

Company Code: TX541 FEID Number: 22-3732058

**RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001**

Reg. Date: 02/23/2001 Inactive Date:  
 Service: ALX - Alternative Local Exchange  
 Received: Actual RAF Form  
 Status: Pending  
 Amended: No Extension: No  
 Frozen: No Comments: No  
 Payment Count: 1 Payment Made to Date  
 Operating Rev: \$0.00 Interstate Rev: \$0.00  
 RAF Rate: 0.0015 Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$12.50	\$10.00	\$2.50
Interest	\$2.50	\$0.00	\$2.50
Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$65.00</b>	<b>\$60.00</b>	<b>\$5.00</b>

Last modification was made on Monday, June 17, 2002 at 4:09 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001 RAF rate: 0.0015  
 Operating rev: \$0.00 Gross intrastate rev: \$0.00  
 Documents: Actual RAF form received on 06/10/2002  
 Remarks: See TJ457

RAF form mailed on 05/08/2002  
 RAF form mailed on 03/01/2002  
 Delinquent letter mailed on 02/20/2002  
 RAF form mailed on 12/06/2001

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
06/10/2002	06/14/2002	06/17/2002-JIK	HL223	12643	\$120.00
	RAF paid		HL223		\$50.00

Remarks: See TJ457

Penalty paid HL223 \$10.00

Remarks: See TJ457

wa

CK# 15023  
CK Amt  
P 2.50  
I 2.50  
Rec'd 10/11/03  
RT

COMPANY IDENTIFICATION

Printed on 03/20/2003 at 10:18:13 by SAH

Complete Name: Everest Broadband Networks of Florida, Inc.

Mailing Name: Everest Broadband Networks of Florida, Inc.

Company Code: TX541 FEID Number: 22-3732058

RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001

Reg. Date: 02/23/2001 Inactive Date:  
 Service: ALX - Alternative Local Exchange  
 Received: Actual RAF Form  
 Status: Pending  
 Amended: No Extension: No  
 Frozen: No Comments: No  
 Payment Count: 1 Payment Made to Date  
 Operating Rev: \$0.00 Interstate Rev: \$0.00  
 RAF Rate: 0.0015 Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$12.50	\$10.00	\$2.50
Interest	\$2.50	\$0.00	\$2.50
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$65.00	\$60.00	\$5.00

Last modification was made on Monday, June 17, 2002 at 4:09 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001 RAF rate: 0.0015  
 Operating rev: \$0.00 Gross intrastate rev: \$0.00  
 Documents: Actual RAF form received on 06/10/2002  
 Remarks: See TJ457

15023

FIRST UNION NATIONAL BANK  
CONNECTICUT

EVEREST BROADBAND NETWORKS, INC.  
2 EXECUTIVE DRIVE, SUITE 700  
FORT LEE, NJ 07024

51-110/211 August 15, 2003 15023

PAY TO THE ORDER OF Florida Public Service Comm.

\$ \*\*\*\*\*240.00  
DOLLARS

\*\*\*\* TWO HUNDRED FORTY AND 0/100

Florida Public Service Comm.  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

*[Signature]*  
AUTHORIZED SIGNATURE

Security features. Details on back.



*PAID*

Check # 15023

Check #

COMPANY IDENTIFICATION

Printed on 04/16/2003 at 08:46:55 by SAH

Complete Name: Everest Broadband Networks of Florida, Inc.

Mailing Name: Everest Broadband Networks of Florida, Inc.

Company Code: TJ457 FEID Number: 22-3732058

P 2.50

I 2.50

10/1/03

RT

RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001

Reg. Date: 01/08/2001 Inactive Date:  
 Service: IXC - Interexchange Telephone  
 Received: Actual RAF Form  
 Status: Pending  
 Amended: No Extension: No  
 Frozen: No Comments: No  
 Payment Count: 1 Payment Made to Date  
 Operating Rev: \$319.61 Interstate Rev: \$315.59  
 RAF Rate: 0.0015 Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$12.50	\$10.00	\$2.50
Interest	\$2.50	\$0.00	\$2.50
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$65.00	\$60.00	\$5.00

Last modification was made on Tuesday, June 18, 2002 at 9:16 AM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001 RAF rate: 0.0015  
 Operating rev: \$319.61 Interstate rev: \$315.59  
 Documents: Actual RAF form received on 06/10/2002

Remarks: See TX541  
 RAF form mailed on 05/23/2002  
 RAF form mailed on 03/01/2002  
 Delinquent letter mailed on 02/20/2002  
 RAF form mailed on 12/06/2001

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
06/10/2002	06/14/2002	06/18/2002-JIK	HL223	12643	\$120.00
	RAF paid		HL223		\$50.00
	Remarks: See TX541				
	Penalty paid		HL223		\$10.00
	Remarks: See TX541				



TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE 01/30/2004

# Competitive 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

PERIOD COVERED:  
01/01/2003 TO 12/31/2003

TX541-03-0-R  
Everest Broadband Networks of Florida, Inc.  
One Executive Drive, Suite 600  
Fort Lee, NJ 07024-3381  
CC: P. Isler

**FOR PSC USE ONLY**  
Check# 15023  
\$ 50.00 0603006  
003001  
\$ \_\_\_\_\_ P 0603006  
004011  
\$ \_\_\_\_\_ I  
Postmark Date 10/1/03  
Initials of Preparer RT

Please Complete Below If Official Mailing Address Has Changed

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

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ 0	\$ 0
2.	Long Distance Services (IntraLATA only)**	0	0
3.	Access Services	0	0
4.	Private Line Services	0	0
5.	Leased Facilities & Circuits Services	0	0
6.	Miscellaneous Services	0	0
7.	TOTAL REVENUES		\$ 0
8.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)		0
9.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		0
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015)		0
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.	TOTAL AMOUNT DUE		\$ 0

\* 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.

X (Signature of Company Official) President & CEO (Title) 6-27-03 (Date)

MODER TRAVEN (Preparer of Form - Please Print Name)

Telephone Number (201) 905-8344 Fax Number (201) 944-7469

F.E.I. No. \_\_\_\_\_

TRANSMISSION VERIFICATION REPORT

TIME : 06/27/2003 08:49  
NAME :  
FAX :  
TEL :

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

06/27 08:44  
612019447469  
00:04:48  
11  
OK  
STANDARD  
ECM

- faxed*
- 1) cover sheet (2 pgs)
  - 2) Rules 25-24.820 & 25-24.474
  - 3) 2002 forms for TJ457 & TX541 (4 pgs)
  - 4) 2003 form for TX541 (2 pgs)
  - 5) 2001 breakdowns for TJ457 & TX541 (2 pgs)

Mr. Jeffrey A. Feldman

June 26, 2003

Page 2

In order to be granted a voluntary cancellation, the company needs to write a letter requesting cancellation and provide the information required by Rule 25-24.820(2)(a-d), Florida Administrative Code, copy attached. I could not readily find another letter requesting cancellation that had all of the required information.

Basically, the letter should state: "Please voluntarily cancel Everest's CLEC certificate since the company does not provide local service in Florida. Since we are not operating in Florida, the company has no customers. Full payment of the Regulatory Assessment Fees is enclosed."

#### **IXC Certificate**

If you wish to cancel the company's IXC certificate, you will need to pay the same amount as owed for the CLEC (\$120.00 -- total \$240). You can combine the request for cancellation of both certificates in the same letter. I am not attaching the 2003 Regulatory Assessment Fee return for the IXC certificate at this time since I do not know if you wish to cancel the certificate. If you need the 2003 form, please let me know and I'll fax it to you.

If you do not wish to cancel the IXC certificate, the company needs to pay the \$5.00 balance for the 2001 fee, plus the \$65.00 for the 2002 fee.

After you've reviewed everything, give me a call if you have any concerns or questions.  
Thanks.

Paula Isler  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
(850) 413-6502-phone  
(850) 413-6503-fax

Attachments: Rules 25-24.820 and 25-24.474, F.A.C., 2002 Regulatory Assessment Fee returns for TJ457 and TX541, 2003 Regulatory Assessment Fee return for TX541, and 2001 breakdowns of the past due balances for TJ457 and TX541.



# Alternative Local Exchange Company Regulatory Assessment Fee Return

STATUS:

Florida Public Service Commission

(See Filing Instructions on Back of Form)

- \_\_\_\_\_ Actual Return
- \_\_\_\_\_ Estimated Return
- \_\_\_\_\_ Amended Return

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

TX541-02-0-R  
 Everest Broadband Networks of Florida, Inc.  
 One Executive Drive, Suite 600  
 Fort Lee, NJ 07024-3381  
 cc: P. Isler

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

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

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

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

\$ \_\_\_\_\_ 1

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 \$500**

**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. No \_\_\_\_\_

# Competitive Local Exchange Company Regulatory Assessment Fee Return

STATUS:

- \_\_\_\_\_ Actual Return
- \_\_\_\_\_ Estimated Return
- \_\_\_\_\_ Amended Return

PERIOD COVERED:  
01/01/2003 TO 12/31/2003

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

TX541-03-0-R  
 Everest Broadband Networks of Florida, Inc.  
 One Executive Drive, Suite 600  
 Fort Lee, NJ 07024-3381  
  
*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.I. No \_\_\_\_\_



**COMPANY IDENTIFICATION**

Printed on 04/16/2003 at 08:46:55 by SAH

Complete Name: Everest Broadband Networks of Florida, Inc.

Mailing Name: Everest Broadband Networks of Florida, Inc.

Company Code: TJ457 FEID Number: 22-3732058

**RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001**

Reg. Date: 01/08/2001 Inactive Date:  
 Service: IXC - Interexchange Telephone  
 Received: Actual RAF Form  
 Status: Pending  
 Amended: No Extension: No  
 Frozen: No Comments: No  
 Payment Count: 1 Payment Made to Date  
 Operating Rev: \$319.61 Interstate Rev: \$315.59  
 RAF Rate: 0.0015 Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$12.50	\$10.00	\$2.50
Interest	\$2.50	\$0.00	\$2.50
Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$65.00</b>	<b>\$60.00</b>	<b>\$5.00</b>

Last modification was made on Tuesday, June 18, 2002 at 9:16 AM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001 RAF rate: 0.0015  
 Operating rev: \$319.61 Interstate rev: \$315.59  
 Documents: Actual RAF form received on 06/10/2002  
 Remarks: See TX541  
 RAF form mailed on 05/23/2002  
 RAF form mailed on 03/01/2002  
 Delinquent letter mailed on 02/20/2002  
 RAF form mailed on 12/06/2001

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
06/10/2002	06/14/2002	06/18/2002-JIK	HL223	12643	\$120.00
	RAF paid		HL223		\$50.00
	Remarks: See TX541				
	Penalty paid		HL223		\$10.00
	Remarks: See TX541				

TRANSMISSION VERIFICATION REPORT

TIME : 06/25/2003 09:47  
NAME :  
FAX :  
TEL :

DATE, TIME	06/25 09:46
FAX NO. /NAME	612819447469
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:**

Herbert Hirsch

VOICE: (201) 944-6477

FAX: (201) 944-7469

**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:**

Everest Broadband Networks of  
Florida, Inc.  
(TX541)

Dear Mr. Hirsch:

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 25, 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

# 267

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. Herbert Hirsch, Vice President  
Everest Broadband Networks of Florida, Inc. (TX541)  
One Executive Drive, Suite 600  
Fort Lee, NJ 07024-3381

Dear Mr. Hirsch:

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. In addition, the company has a small past due balance that must be paid, breakdown 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,

Handwritten signature of Paula J. Isler in cursive.

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

**Everest Broadband Networks of Florida, Inc. (TX541)**  
**Certificate No. 7724, Effective 02/23/01**

<b>Year</b>	<b>Fee</b>	<b>Penalty</b>	<b>Interest</b>	<b>Notes</b>
2001	N/A	\$12.50 Owed <u>10.00</u> Paid 2.50 Due	\$2.50	Payment was due 01/30/02. The company's payment for the fee was postmarked 06/10/02, leaving a balance of \$5.00.
2002	(Minimum) \$50.00	7.50	1.50	Payment was due by 01/30/03, which has not been received. The fee is .0015% of a company's intrastate revenues, or \$50, whichever is greater. If the company owes the minimum and if payment is postmarked by 04/30/03, the company owes a total of \$59 for the year 2002.
<b>Total</b>	<b>(Minimum) \$50.00</b>	<b>\$10.00</b>	<b>\$4.00</b>	<b>Total: \$64.00</b>

# Alternative Local Exchange Company Regulatory Assessment Fee Return

STATUS:

- \_\_\_\_\_ Actual Return
- \_\_\_\_\_ Estimated Return
- \_\_\_\_\_ Amended Return

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

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

TX541-02-0-R  
 Everest Broadband Networks of Florida, Inc.  
 One Executive Drive, Suite 600  
 Fort Lee, NJ 07024-3381  
 cc: P. Isler

### FOR PSC USE ONLY

Check# \_\_\_\_\_  
 \$ \_\_\_\_\_ 0603006  
 003001  
 \$ \_\_\_\_\_ P  
 0603006  
 004011  
 \$ \_\_\_\_\_ 1  
 Postmark Date \_\_\_\_\_  
 Initials of Preparer \_\_\_\_\_

Please Complete Below If Official Mailing Address Has Changed

\_\_\_\_\_  
 (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.	TOTAL REVENUES		\$ _____
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.	TOTAL AMOUNT DUE		\$ _____

- \* 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.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 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.

## MCD Company Information for TX541

Printed on 03/18/2003 at 08:37:02 by PJI

*RAFS  
+ prior bid  
(cont. action)*

Company Code: TX541  
Complete Name: Everest Broadband Networks of Florida, Inc.  
Mailing Name: Everest Broadband Networks of Florida, Inc.  
Certificate No(s): 7724  
Status: Active  
Regulation Date: 02/23/2001  
Bankruptcy: No  
Company Liaison #1: Herbert Hirsch  
Title: Vice President  
Mailing Address: One Executive Drive, Suite 600

Physical Location: Fort Lee, NJ 07024-3381  
One Executive Drive, Suite 600

Phone: Fort Lee, NJ 07024-3381  
(201) 944-6477  
Fax: (201) 944-7469

### Related Dockets:

001725-TX Application for certificate to provide alternative local exchange telecommunications service by Everest Broadband Networks of Florida, Inc.



**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:  
  
TX541 Everest Broadband Networks of Florida, Inc.  
One Executive Drive, Suite 600  
Fort Lee, NJ 07024-3381

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
*[Signature]* *2/2/03*

C. Signature  
 *[Signature]*  Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
If 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  
(Transfer from serial number) **7002 0860 0001 1756 4830**

**COMPANY IDENTIFICATION**

Printed on 03/20/2003 at 10:18:13 by SAH

Complete Name: Everest Broadband Networks of Florida, Inc.

Mailing Name: Everest Broadband Networks of Florida, Inc.

Company Code: TX541 FEID Number: 22-3732058

**RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001**

Reg. Date: 02/23/2001 Inactive Date:  
 Service: ALX - Alternative Local Exchange  
 Received: Actual RAF Form  
 Status: Pending  
 Amended: No Extension: No  
 Frozen: No Comments: No  
 Payment Count: 1 Payment Made to Date  
 Operating Rev: \$0.00 Interstate Rev: \$0.00  
 RAF Rate: 0.0015 Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$12.50	\$10.00	\$2.50
Interest	\$2.50	\$0.00	\$2.50
Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$65.00</b>	<b>\$60.00</b>	<b>\$5.00</b>

Last modification was made on Monday, June 17, 2002 at 4:09 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001 RAF rate: 0.0015  
 Operating rev: \$0.00 Gross intrastate rev: \$0.00  
 Documents: Actual RAF form received on 06/10/2002  
 Remarks: See TJ457

RAF form mailed on 05/08/2002  
 RAF form mailed on 03/01/2002  
 Delinquent letter mailed on 02/20/2002  
 RAF form mailed on 12/06/2001

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
06/10/2002	06/14/2002	06/17/2002-JIK	HL223	12643	\$120.00
	RAF paid		HL223		\$50.00

Remarks: See TJ457

Penalty paid HL223 \$10.00

Remarks: See TJ457

**COMPANY IDENTIFICATION**

Printed on 03/20/2003 at 10:19:10 by SAH

Complete Name: Everest Broadband Networks of Florida, Inc.

Mailing Name: Everest Broadband Networks of Florida, Inc.

Company Code: TX541                      FEID Number: 22-3732058

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

Reg. Date: 02/23/2001                      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