

ORIGINAL

STATE OF FLORIDA

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DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
BETH W. SALAK
DIRECTOR
(850) 413-6600

Public Service Commission

November 18, 2003

NOV 18 PM 4:06
COMMISSION
CLERK

Mr. Jeffrey Stolberg, Interim CFO
Delta Phones, Inc. (TX534)
PO Box 2257
Naperville, IL 60567

RE: Docket No. 030629-TX

Dear Mr. Stolberg:

On October 6, 2003, the Commission received your letter dated September 30th proposing a settlement to resolve Docket No. 030629-TX. The last sentence of your proposal, copy attached, states "Delta Phones, Inc. is requesting a settlement in the sum of." An amount was not listed. On October 9, 2003, I called Rhonda Walters and brought the above to her attention. Ms. Walters advised me that she would have the company complete the sentence with an amount and resend the settlement proposal. As of this date, the Commission has not received the amended settlement.

The company has two options at this point. The first is to amend your settlement proposal to include an amount. In other similar cases, the Commission has accepted settlements between \$100 and \$500 in lieu of the \$500 fine normally imposed for this rule violation. The second option is for staff to recommend that your settlement offer be denied and to impose a \$500 fine.

Please review this information and respond by December 7, 2003. If a response is not received by December 17th, staff will have no choice except to go forward with its recommendation to fine Delta \$500. If you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, by internet e-mail at pisler@psc.state.fl.us, or at the address below.

Sincerely,

Paula J. Isler, Research Assistant
Bureau of Service Quality

- XUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC _____
- OTH _____

Enclosure

cc: Docket No. 030629-TX
Office of the General Counsel (McKay)

DOCUMENT NUMBER DATE
11614 NOV 18 2003
PSC-COMMISSION CLERK

ORIGINAL



2003 OCT -6 AM 9:00

DISTRIBUTION CENTER

September 30, 2003

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Ms. Blanca Bayo, Director
Division of Commission Clerk &
Administrative Services

RECEIVED FPSC
03 OCT -6 AM 9:28
COMMISSION
CLERK

Re: Docket Number 030629-TX

Dear Ms. Bayo,

Delta Phones, Inc. has paid the Competitive Local Exchange Company Regulatory Assessment Fee Return, Check Number 020118. It included the penalty and interest for being delinquent.

Delta Phones, Inc. understands that just paying the past due amount will not prevent our certificate from being cancelled.

Delta Phones, Inc. has implemented under new management, an accounting department that consist of the following personnel: Interim CFO – Jeffrey Stolberg and Wendy Fisher. Jeffrey Stolberg, Wendy Fisher and Rhonda Walters hold weekly meetings to discuss all filings and pending issues.

Delta Phones, Inc. agrees to waive any objection to the administrative cancellation of its certificate should it fail to pay in accordance with its settlement offer.

Delta Phones, Inc. is requesting a settlement in the sum of

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
ECL _____
OPC _____
AMS _____
IEC / _____
OTH _____

Best regards,

Jeffrey Stolberg, Interim CFO
Delta Phones, Inc.
PO Box 2257
Naperville, IL 60567

DOCUMENT NUMBER-DATE

09635 OCT-6 03

FPSC-COMMISSION CLERK