

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date: 8/12/2004

Docket No.: 040840-TX

2. OPR: Division Of Competitive Markets & Enforcement

3. OCR: Office Of The General Counsel

4. Suggested Docket Title: Compliance Investigation Of Annox, Inc. For Apparent Violation Of Rules 25-4.0161,

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):

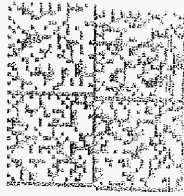
6. Check one:

- Documentation is attached.
- Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE

08777 AUG 12 8

State of Florida
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



047382004132

\$00.600

05/07/2004

Mailed from 32389

US POSTAGE

Mr. Dominick Marchitto, President
Annox, Inc. (TX108)
PO Box 230
Pleasant Hill, CA 94523-0230

ANNOX 371481034 1/04 12 0/0/04
RETURN TO SENDER

BOX CLOSED
UNABLE TO FORWARD
RETURN TO SENDER

3714810340230

STATE OF FLORIDA

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



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

Public Service Commission

May 7, 2004

Mr. Dominick Marchitto, President
Annox, Inc. (TX108)
PO Box 230
Pleasant View, TN 37146-0230

Dear Mr. Marchitto:

The Regulatory Assessment Fee (RAF) is due by January 30th 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. Since payment has not been made, statutory penalty and interest charges are now applicable.

Our records show that the 2003 RAF return notice was mailed on December 12, 2003, and a delinquent notice was mailed on February 20, 2004. As of this date, our records do not show receipt of the RAF return or payment. A copy of the 2003 RAF return form is enclosed. Our records also show that you have a small past due balance for late payment of a prior year's fee, which must be paid. A breakdown is enclosed. If full payment, including penalty and interest charges, along with the RAF return form, are not received by May 28, 2004, a docket may be established. Since this will be the second time a docket is established for the same rule violation, staff intends to recommend that your company be fined or its 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 2003 RAF return form, either pay the 2004 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 collections. When returning payment and a copy of the completed 2003 Regulatory Assessment Fee return form, please use the enclosed blue envelope, which will insure prompt processing.

Mr. Dominick Marchitto, President

Page 2

May 7, 2004

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, or by writing to me at the address at the bottom of Page One.

Sincerely,



Paula J. Isler, Research Assistant

Bureau of Service Quality

Enclosures

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)

TX108-03-0-R
 Annox, Inc.
 6509 Highway 41-A
 P. O. Box 230
 Pleasant View, TN 37146-0230
 cc: P. Ister

FOR PSC USE ONLY	
Check#	_____
\$	0603006
	003001
\$	P 0603006
	004011
\$	I _____
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 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.

COMPANY IDENTIFICATION

Printed on 04/28/2004 at 12:11:23 by PJI

Complete Name: Annox, Inc.

Mailing Name: Annox, Inc.

Company Code: TX108

FEID Number: 58-1684489

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

Reg. Date: 07/25/1997 Inactive Date:
 Service: CLX - Competitive 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: \$39,452.35 Interstate Rev: \$0.00
 RAF Rate: 0.0015 Net RAF Due: \$59.18

Assessment	Due	Paid	Owe
RAF	\$59.18	\$59.17	\$0.01
Penalty	\$2.96	\$0.00	\$2.96
Interest	\$0.59	\$0.00	\$0.59
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$62.73	\$59.17	\$3.56

Last modification was made on Monday, February 11, 2002 at 12:06 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001 RAF rate: 0.0015
 Operating rev: \$39,452.35 Gross intrastate rev: \$0.00
 Documents: Actual RAF form received on 02/01/2002
 RAF form mailed on 12/06/2001

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
02/01/2002	02/08/2002	02/11/2002-JIK	HH172	14475	\$109.17
	RAF paid		HH172		\$59.17

TX108

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL



7002 0860 0001 1760 8077

State of Florida Public Service Commission

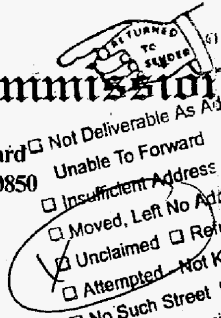
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

2004 MAR 18 AM 10:33

DIVISION OF
REGULATORY SERVICES

MAR 16 AM 10:33
COMMISSION CLERK

TX108-03-0-D
Annex, Inc.
6509 Highway 41-A
P. O. Box 230



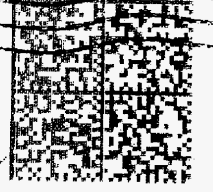
- Not Deliverable As Addressed
- Unable To Forward
- Insufficient Address
- Moved, Left No Address
- Unclaimed Refused
- Attempted - Not Known
- No Such Street Number
- Vacant Illegible
- No Mail Receptacle
- No Order
- Return to address
- Return to address

February 19, 2004

2-26
3-2
3-12

ADMINISTRATIVE SERVICES

MAR 16 PM 3:34



ncopost
\$04.420
02/23/2004
U.S. POSTAGE
32399
047J82004132

STATE OF FLORIDA

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



OFFICE OF GENERAL COUNSEL
RICHARD D. MELSON
(850) 413-6199

Public Service Commission

February 19, 2004

TX108-03-0-D
Annox, Inc.
6509 Highway 41-A
P. O. Box 230
Pleasant View, TN 37146-0230

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 2003, which was due January 30, 2004. The RAFs return form was mailed to you on **December 15, 2003**, 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 **Competitive Local Exchange** 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 David Brown or Valorie Moore 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 **David Brown** at (850) 413-6267 or **Valorie Moore** at 413-6275 or via Internet e-mail at dbrown@psc.state.fl.us or vmoore@psc.state.fl.us.

Sincerely,

Richard D. Melson
General Counsel

KMP

Enclosure

cc: David Brown, Bureau of Administrative Services/Fiscal Services Section
Valorie Moore, Bureau of Administrative Services/Fiscal Services Section

COMPANY IDENTIFICATION

Printed on 04/28/2004 at 12:11:31 by PJI

Complete Name: Annox, Inc.

Mailing Name: Annox, Inc.

Company Code: TX108

FEID Number: 58-1684489

RAF ACCOUNT FOR THE PERIOD 01/01/2003 THROUGH 12/31/2003

Reg. Date: 07/25/1997 Inactive Date:
 Service: CLX - Competitive 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
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Tuesday, December 2, 2003 at 2:36 PM by David Brown

Period covered: 01/01/2003 through 12/31/2003 RAF rate:
 Operating rev: \$0.00 Gross intrastate rev: \$0.00
 Documents: Delinquent letter mailed on 02/19/2004
 RAF form mailed on 12/03/2003
 RAF form mailed on 12/02/2003

MCD Company Information for TX108

Printed on 08/11/2004 at 13:58:16 by PJI

Company Code: TX108
Complete Name: Annox, Inc.
Mailing Name: Annox, Inc.
Certificate No(s): 5189
Status: Active
Regulation Date: 07/25/1997
Bankruptcy: No
Company Liaison #1: Dominick Marchitto
Title: President
Mailing Address: 6509 Highway 41-A
P. O. Box 230
Pleasant View, TN 37146-0230
Physical Location: 6509 Highway 41-A
Pleasant View, TN 37146-8163
Phone: (615) 746-8927 ext 1105
Fax: (615) 746-9683

Related Dockets:

970564-TX Application for certificate to provide alternative local exchange telecommunications service by Annox, Inc.

970859-TP Request for approval of resale agreement negotiated by BellSouth Telecommunications, Inc. with Annox, Inc., pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

981669-TP Request by BellSouth Telecommunications, Inc. for approval of amendment to resale agreement with Annox, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

981969-TX Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 5189 issued to Annox, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

990524-TP Petition by Annox, Inc. for approval of resale agreement with IXC Communications Services, Inc.

991184-TP Request by GTE Florida Incorporated for approval of resale agreement with Annox, Inc.

991815-TP Request by BellSouth Telecommunications, Inc. for approval of resale agreement with Annox, Inc.

011416-TP Request by BellSouth Telecommunications, Inc. for approval of resale agreement with Annox, Inc.