

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

<b>Date:</b>	8/19/2004	<b>Docket No.:</b>	040896-71
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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>	Compliance investigation of North American Communications Control, Inc. for apparent violation of Sections 364.336 and 364.02, Florida Statutes.
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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-DATE

09083 AUG 19 03

Document2

FPSC-COMMISSION CLERK



Florida Department of State, Division of Corporations

# Corporations Online

www.sos.state.fl.us

Public Inquiry

## Foreign Profit

### NORTH AMERICAN COMMUNICATIONS CONTROL INC

#### PRINCIPAL ADDRESS

175 PINELAWN RD, STE 408

MEEVILLE NY 11747 US

Changed: 11/02/2002

#### MAILING ADDRESS

175 PINELAWN RD, STE 408

MEEVILLE NY 11747 US

Changed: 11/02/2002

Document Number  
F96000001058

FBI Number  
113150961

Date Filed  
03/07/1996

State  
NY

Status  
INACTIVE

Effective Date  
NONE

Last Event  
WITHDRAWAL

Event Date Filed  
11/04/2002

Event Effective Date  
NONE

## Registered Agent

### Name & Address

NONE

FL

Registered Agent Revoked: 11/04/2002

## Officer/Director Detail

Name & Address	Title
GLUCK, JACK 333 ISLAND AVE. WOODMERE NY 11598	SD
FRAGIN, GARY 4925 ARLINGTON ROAD RIVERDALE NY 10471	D



MILANA, JAMES 702 FOCH BLVD  WILLISTON PARK NY 11596	PDT
MILANA, THOMAS SR. 338 ELWOOD ROAD  EAST NORTHPORT NY 11731	D

### Annual Reports

Report Year	Filed Date
2000	01/19/2000
2001	03/19/2001
2002	01/31/2002

[Previous Filing](#)

[Return to List](#)

[Next Filing](#)

[View Events](#)

No Name History Information

### Document Images

Listed below are the images available for this filing.

- [11/04/2002 -- Withdrawal](#)
- [01/31/2002 -- ANN REP/UNIFORM BUS REP](#)
- [03/19/2001 -- ANN REP/UNIFORM BUS REP](#)
- [01/19/2000 -- ANN REP/UNIFORM BUS REP](#)
- [02/20/1999 -- ANNUAL REPORT](#)
- [04/27/1998 -- ANNUAL REPORT](#)
- [07/30/1997 -- ANNUAL REPORT](#)

**THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT**

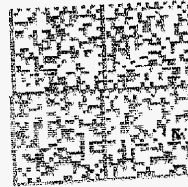
[Corporations Inquiry](#)

[Corporations Help](#)



State of Florida  
**Public Service Commission**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



Postage

047J82004137

\$00.379

06/25/2004

Mailed From 32399

US POSTAGE

ATTEMPTED UNKNOWN

Mr. Paul Scamano, CEO  
North American Communications Control, Inc. (TI495)  
30 Wall Street Road, Suite 217  
Huntington Station, NY 11746



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

STATE OF FLORIDA



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

## Public Service Commission

June 24, 2004

Mr. Frank Caccamo, CEO  
North American Communications Control, Inc. (TI495)  
33 Walt Whitman Road, Suite 217  
Huntington Station, NY 11746

**RE: North American Communications Control, Inc. (TI495)**

Dear Mr. Caccamo:

On July 18, 2002, the Commission received a letter from Ms. Susan M. Hafeli dated July 17, 2002, which advised that A.R.C. Networks, Inc. d/b/a InfoHighway had purchased the customer base of North American Communications Control, Inc. (NACC). This was approved by the Commission in Docket No. 020757-TI.

On June 6, 2003, the Commission received a letter from Ms. Bridgette Nally, Controller, dated June 3, 2003, which appeared to be a request for cancellation of its IXC certificate. Ms. Nally advised that NACC "has had no business in the telecom industry as of September 31, 2002." The letter went on to state that NACC was in the process of being dissolved.

I wrote Ms. Nally on June 12, 2003, and advised that if NACC was requesting cancellation of its certificate, the company needed to pay the 2003 Regulatory Assessment Fee. No response was received; therefore, I called Ms. Nally at 631-588-3162 and left a voice mail message. No response has been received to date.

As information, Commission rules require that if a certificate is active for any day during a calendar year, the Regulatory Assessment Fee is owed for that year. I have since searched the Florida Department of State, Division of Corporations' records and found where the company filed an "Application by foreign corporation for withdrawal of authority to transact business or conduct affairs in Florida" on November 4, 2002. Unfortunately, the Florida Public Service Commission was never notified that NACC wished to cancel its certificate in Florida. Because of this, NACC's IXC certificate remains active. This means the company owes the 2003 and 2004 Regulatory Assessment Fees, plus statutory late payment charges.

2004 JUL 27 AM 9:34  
DIVISION OF  
COMPETITIVE SERVICES

Mr. Frank Caccamo, CEO  
Page 2  
Thursday, June 24, 2004

I also searched the New York Department of State, Division of Corporations' records and found your name and address for NACC. According to that website, NACC is an active corporation in New York.

NACC is continuing to accrue Regulatory Assessment Fees, plus statutory late payment charges. Therefore, if the company is no longer in business and has need of its IXC certificate in Florida, can you please write us a letter and specifically request cancellation of the certificate and pay the 2003 and 2004 Regulatory Assessment Fees?

I would appreciate any assistance you can provide. If you have any questions, just let me know. I can be reached at (850) 413-6502-phone, (850) 413-6503-fax, by internet e-mail at [PIsler@psc.state.fl.us](mailto:PIsler@psc.state.fl.us), or at the address at the bottom of Page One.

Sincerely,

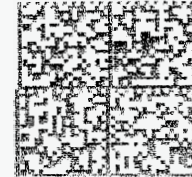


Paula J. Isler, Research Assistant  
Bureau of Service Quality

TMS #1481

State of Florida  
**Public Service Commission**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



047J82004132

\$00.370

06/10/2004

Mailed From 32399  
US POSTAGE

*John*  
OC

Ms. Bridgette Nully, Controller  
North American Communications Control, Inc. (TI495)

- A  INSUFFICIENT ADDRESS
- C  ATTEMPTED NOT KNOWN
- S  NO SUCH NUMBER/ STREET
- NOT DELIVERABLE AS ADDRESSED  
- UNABLE TO FORWARD
- OTHER

**RTS**  
RETURN TO SENDER

11743+391

## 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

June 10, 2004

Ms. Bridgette Nully, Controller  
North American Communications Control, Inc. (TI495)  
789 Park Avenue, 2<sup>nd</sup> Floor  
Huntington, NY 11743-3912

Dear Ms. Nully:

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. 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. If full payment, including penalty and interest charges, along with the RAF return form, are not received by July 2, 2004, a docket may be established. Since this will be the third time a docket is established for the same rule violation, staff intends to recommend cancellation of the company's certificate 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 25-24.474, 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.



Ms. Bridgette Nully, Controller  
Page 2  
June 10, 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](mailto:pisler@psc.state.fl.us), or by writing to me at the address listed at the bottom of Page One.

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler". The signature is written in black ink on a light-colored background.

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures  
TMS #1464

# Interexchange Company Regulatory Assessment Fee Return

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return  
 Estimated Return  
 Amended Return

TI495-03-0-R  
 North American Communications Control, Inc.  
 789 Park Avenue, 2nd Floor  
 Huntington, NY 11743-3912

P. Isler

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

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

\$ \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 003001

\$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603001  
 \_\_\_\_\_ 004011

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

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

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

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

\_\_\_\_\_  
 (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</b> For Regulatory Assessment Fee Calculation	_____	_____
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?      What is the total amount of bond held (if applicable)?  
 Amount: \$ \_\_\_\_\_ for 19 \_\_\_\_\_      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. \_\_\_\_\_



**25-24.474 Cancellation of a Certificate.**

(1) The Commission may on its own motion cancel a company's certificate for any of the following reasons:

- (a) Violation of the terms and conditions under which the authority was originally granted;
- (b) Violation of Commission rule or order; or
- (c) Violation of Florida Statutes.

(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:

- (a) Statement of intent and date to pay Regulatory Assessment Fee.
- (b) Statement of why the certificate is proposed to be cancelled.
- (c) A statement on treatment of customer deposits and final bills.
- (d) Proof of individual customer notice regarding discontinuance of service.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority: 350.127(2), F. S.

Law Implemented: 350.113, 350.127(1), 364.285, 364.337, 364.345, F.S.

History: New 2/23/87, amended 3/13/96.

State of Florida  
**Public Service Comm**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**CERTIFIED MAIL**



7002 0860 0001 1760 51.

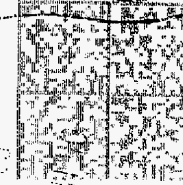


UNDELIVERABLE  
AS ADDRESSED  
FORWARDING  
ORDER EXPIRED

February 20, 2004

TI495-03-0-D  
North American Communications Control, Inc.  
789 Park Avenue, 2nd Floor  
Huntington, NY 11743-3912

RECEIVED IN SC  
MAR -1 11:32  
COMMUNICATIONS  
ADMINISTRATIVE



POSTAGE  
\$04.420  
02 20 2004

117434



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 20, 2004

TI495-03-0-D  
North American Communications Control, Inc.  
789 Park Avenue, 2nd Floor  
Huntington, NY 11743-3912

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 **Interexchange Telephone** 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](mailto:dbrown@psc.state.fl.us) or [vmoore@psc.state.fl.us](mailto:vmoore@psc.state.fl.us).

Sincerely,

Handwritten signature of Richard D. Melson.

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 04/27/2004 at 10:23:20 by PJI

Complete Name: North American Communications Control, Inc.

Mailing Name: North American Communications Control, Inc.

Company Code: TI495 FEID Number: 11-3150961

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

Reg. Date: 06/25/1996 Inactive Date:  
 Service: IXC - Interexchange Telephone  
 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 Wednesday, December 3, 2003 at 9:30 AM by David Brown

Period covered: 01/01/2003 through 12/31/2003 RAF rate:  
 Operating rev: \$0.00 Interstate rev: \$0.00  
 Documents: Delinquent letter mailed on 02/20/2004  
 Delinquent letter mailed on 02/19/2004  
 Delinquent letter mailed on 02/18/2004  
 RAF form mailed on 12/03/2003  
 RAF form mailed on 06/11/2003



## MCD Company Information for TI495

Printed on 04/23/2004 at 16:11:20 by PJI

Company Code: TI495  
Complete Name: North American Communications Control, Inc.  
Mailing Name: North American Communications Control, Inc.  
Certificate No(s): 4463  
Status: Active  
Regulation Date: 06/25/1996  
Bankruptcy: No  
Company Liaison #1: Bridgette Nully  
Title: Controller  
Mailing Address: 789 Park Avenue, 2nd Floor

Physical Location: Huntington, NY 11743-3912  
789 Park Avenue, 2nd Floor

Phone: Huntington, NY 11743-3912  
(631) 673-1400 ext 13  
Fax: (631) 673-0210

### Related Dockets:

960373-TI Application for certificate to provide interexchange telecommunications service by North American Communications Control, Inc.

991539-TI **Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 4463 issued to North American Communications Control, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.**

010897-TI **Cancellation by Florida Public Service Commission of IXC Certificate No. 4463 issued to North American Communications Control, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.**

020757-TI **Request for approval of waiver of carrier selection requirements of Rule 25-4.118, F.A.C., due to purchase of customer base of North American Communications Control, Inc. (holder of IXC Cert. No. 4463) by A.R.C. Networks, Inc. d/b/a InfoHighway (holder of IXC Certificate No. 4707).**