

ORIGINAL

STATE OF FLORIDA

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



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

Public Service Commission

October 11, 2004

Mr. Scott Boyd, Executive Director
Joint Administrative Procedures
Committee
Room 120 Holland Building
Tallahassee, FL 32399-1300

RE: Docket No. 040436-T- Proposed amendment of Rule 25-4.0161, F.A.C.,
Regulatory Assessment Fees; Telecommunications Companies

Dear Mr. Boyd:

Enclosed is an original copy of the following forms/materials concerning the above
referenced proposed rule:

1. A copy of the rule and the forms incorporated by reference into the rule.
2. A copy of the F.A.W. notice.
3. A statement of facts and circumstances justifying the proposed rule.
4. A federal standards statement.
5. A statement of estimated regulatory costs.

If there are any questions with respect to this these rule, please do not hesitate to

CMP ___ call me.

COM ___

CTR ___

ECR ___

GCL ___

OPC ___

MMS ___

RCA ___

SCR ___

SEC 1

OTH ___

Sincerely,

Christiana T. Moore
Associate General Counsel

040436 JAPC letter.ctm.doc

Enclosures

cc: Division of the Commission Clerk and Administrative Services

DOCUMENT NUMBER 040

11009 OCT 12 2004

FPSC-COMMISSION CLERK

1 **25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.**

2 (1) As applicable and as provided in Sections 350.113, 364.02(13) and 364.336,
3 Florida Statutes, each company shall remit a fee based upon its gross operating revenue as
4 provided below. This fee shall be referred to as a regulatory assessment fee, and each
5 company shall pay a regulatory assessment fee in the amount of 0.0020 ~~0.0015~~ gross operating
6 revenues derived from intrastate business. For the purpose of determining this fee, each
7 telecommunications company shall deduct from gross operating revenues any amount paid to
8 another telecommunications company for the use of any telecommunications network to
9 provide service to its customers. Regardless of the gross operating revenue of a company, a
10 minimum annual regulatory assessment fee of \$50 shall be imposed.

11 (2) Telecommunications companies that owed gross regulatory assessment fees of
12 \$10,000 or more for the preceding calendar year shall pay the fee and remit the appropriate
13 form twice a year. The regulatory assessment fee and appropriate form shall be filed no later
14 than July 30 for the preceding period of January 1 through June 30, and no later than January
15 30 of the following year for the period of July 1 through December 31. Telecommunication
16 companies that owed gross regulatory assessment fees of less than \$10,000 for the preceding
17 calendar year shall pay the fee and remit the appropriate form once a year. The regulatory
18 assessment fee and appropriate form shall be filed no later than January 30 of the subsequent
19 year for the current calendar year operations.

20 (3) If the due date falls on a Saturday, Sunday, or legal holiday, the due date is
21 extended to the next business day. If the fees are sent by registered mail, the date of the
22 registration is the United States Postal Service's postmark date. If the fees are sent by
23 certified mail and the receipt is postmarked by a postal employee, the date on the receipt is the
24 United States Postal Service's postmark date. The postmarked certified mail receipt is
25 evidence that the fees were delivered. Regulatory assessment fees are considered paid on the

1 date they are post marked by the United States Postal Service or received and logged in by the
2 Commission's Division of the Commission Clerk and Administrative Services in Tallahassee.
3 Fees are considered timely paid if properly addressed, with sufficient postage, and postmarked
no later than the due date.

5 (4) Commission Form PSC/CMP 25 (___/___), entitled "Local Exchange Company
6 Regulatory Assessment Fee Return," Form PSC/CMP 26 (___/___), entitled "Pay Telephone
7 Service Provider Regulatory Assessment Fee Return"; Form PSC/CMP 34 (___/___), entitled
8 "Shared Tenant Service Provider Regulatory Assessment Fee Return"; Form PSC/CMP 153
9 (___/___), entitled "Interexchange Company Regulatory Assessment Fee Return"; and Form
10 PSC/CMP 1 (___/___), entitled "Alternative Access Vendor Regulatory Assessment Fee
11 Return"; and Form PSC/CMP 7(___/___), entitled "Competitive Local Exchange Company
12 Regulatory Assessment Fee Return" are incorporated into this rule by reference and may be
13 obtained from the Commission's Division of the Commission Clerk and Administrative
14 Services.

15 (5) Each telecommunications company shall have up to and including the due date in
16 which to submit the applicable form and:

17 (a) Remit the total amount of its fee, or

18 (b) Remit an amount which the company estimates is its full fee.

19 (6) Where the company remits less than its full fee, the remainder of the full fee shall
20 be due on or before the 30th day from the due date and shall, where the amount remitted was
21 less than 90 percent of the total regulatory assessment fee, include interest as provided by
22 paragraph (8)(b) of this rule.

23 (7) A company may request from the Division of the Commission Clerk and
24 Administrative Services a 30-day extension of its due date for payment of regulatory
25 assessment fees or for filing its return form.

1 (a) The request for extension must be submitted on Form PSC/CCA 124 (/) written
2 and will be granted if the company has applied for the extension within the time required in
3 (b) below and the company does not have any unpaid regulatory assessment fees, penalties or
4 interest due from a prior year accompanied by a statement of good cause. Form PSC/CCA
5 124 (/), entitled "Regulatory Assessment Fee Extension Request" is incorporated into this
6 rule by reference and may be obtained from the Commission's Division of the Commission
7 Clerk and Administrative Services.

8 (b) The request for extension must be received by the Division of the Commission
9 Clerk and Administrative Services at least two weeks before the due date.

10 (c) Where a telecommunications company receives an extension of its due date
11 pursuant to this rule, the telecommunications company shall remit a charge in addition to the
12 regulatory assessment fees, as set out in Section 350.113(5), Florida Statutes.

13 (d) The return forms may be obtained from the Commission's Division of the
14 Commission Clerk and Administrative Services. The failure of a telecommunications
15 company to receive a return form shall not excuse the company from its obligation to timely
16 remit the regulatory assessment fees.

17 (8) The delinquency of any amount due to the Commission from the
18 telecommunications company pursuant to the provisions of Section 350.113, Florida Statutes,
19 and this rule, begins with the first calendar day after any date established as the due date either
20 by operation of this rule or by an extension pursuant to this rule.

21 (a) A penalty, as set out in Section 350.113, Florida Statutes, shall apply to any such
22 delinquent amounts.

23 (b) Interest at the rate of 12 percent per annum shall apply to any such delinquent
24 amounts.

25 Specific Authority 350.127(2) FS.

1 Law Implemented 350.113, 364.336 FS.

2 History—New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-
3 26-95, 7-7-96, 11-11-99, _____.

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CODING: Words underlined are additions; words in ~~struck through~~ type are deletions
from existing law.

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE FIELD(2)

Alternative Access Vendor Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

FIELD(1)

FOR PSC USE ONLY

Check # _____

_____ 06-03-001
_____ 003001

\$ _____ P _____ 06-03-001
_____ 004011

\$ _____ 1

Postmark Date _____

Initials of Preparer _____

PERIOD COVERED:

FIELD(3)

Please Complete Below If Official Mailing Address Has Changed

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

LINE NO.	WIDE AREA TOLL SERVICE	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Special Access Services	_____	\$ _____
2.	Private Line Services	_____	_____
3.	Leased Facilities & Circuits Services	_____	_____
4.	Miscellaneous Services	_____	_____
5.	TOTAL REVENUES		\$ _____
6.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾		_____
7.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 5 less Line 6)		\$ _____
8.	Regulatory Assessment Fee Due (Multiply Line 7 by 0.0020)		_____
9.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		_____
10.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		_____
11.	Extension Payment Fee (see "4. Extension" on back)		_____
12.	TOTAL AMOUNT DUE (\$50 MINIMUM)		\$ _____ ⁽²⁾

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official 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 _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Alternative Access Vendor)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, and
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 6, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. **Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 9). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 10). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 11):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.

6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your records, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

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

FIELD(1)

FOR PSC USE ONLY

Check # _____

_____ 06-03-001
_____ 003001

\$ _____ P _____

_____ 06-03-001
_____ 004011

\$ _____ I _____

Postmark Date _____

Initials of Preparer _____

PERIOD COVERED:

FIELD(3)

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) ⁽¹⁾	_____	_____
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 ⁽²⁾		_____
9.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		\$ _____
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0020)		_____
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.	Extension Payment Fee (see "4. Extension" on back)		_____
14.	TOTAL AMOUNT DUE (\$50 MINIMUM)		\$ _____ ⁽³⁾

(1) Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.
 (2) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).
 (3) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Competitive Local Exchange Company)

1. **WHEN TO FILE:** For companies which owed a total of \$10,000 or more of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of less than \$10,000 of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, when July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee Return may be filed or postmarked on the next business day, without penalty or interest.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 8, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. ***Do not deduct*** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 11). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 12). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA -124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 13):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE FIELD(2)

Local Exchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(Filing Instructions on Back of Form)

STATUS:

- _____ Actual Return
- _____ Estimated Return
- _____ Amended Return

FIELD(1)

PERIOD COVERED:

FIELD(3)

FOR PSC USE ONLY

Check # _____
 \$ _____ 06-03-001
 _____ 003001
 \$ _____ P
 _____ 06-03-001
 _____ 004011
 \$ _____ I
 Postmark Date _____
 Initials of Preparer _____

Please Complete Below If Official Mailing Address Has Changed

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

LOCAL SERVICES REVENUES

	Total	Intrastate		Total	Intrastate
1. Basic area revenues (5001)	\$ _____	\$ _____	25. Other long distance private network revenues (5128)	_____	_____
2. Optional extended area revenues (5002)	_____	_____	26. Other long distance private network settlements (5129)	_____	_____
3. Cellular mobile revenues (5003)	_____	_____	27. Other long distance revenues (5160)	_____	_____
4. Other mobile services revenues (5004)	_____	_____	28. Other long distance revenues settlements (5169)	_____	_____
5. Public telephone revenues (5010)	_____	_____	29. Total Long Distance Revenues (Add Lines 16 through 28)	\$ _____	\$ _____
6. Local private line revenues (5040)	_____	_____			
7. Customer premises revenues (5050)	_____	_____			
8. Other local exchange revenues (5060)	_____	_____			
9. Other local exchange revenues settlements (5069)	_____	_____			
10. Total Local Services Revenues (Add Lines 1 through 9)	\$ _____	\$ _____			

NETWORK ACCESS SERVICES REVENUES

11. End user revenues (5081)	_____	_____	30. Directory revenues (gross billing) (5230)	_____	_____
12. Switched access revenues (5082)	_____	_____	31. Rent revenues (gross billings) (5240)	_____	_____
13. Special access revenues (5083)	_____	_____	32. Corporate operation revenues (5250)	_____	_____
14. State access revenues (5084)	_____	_____	33. Special billing arrangement revenues (5261)	_____	_____
15. Total Access Services Revenues (Add Lines 11 through 14)	\$ _____	\$ _____	34. Customer operations revenues (5262)	_____	_____

LONG DISTANCE NETWORK SERVICES REVENUES

16. Long distance message revenues (5100)	_____	_____	35. Plant operation revenues (5263)	_____	_____
17. Long distance inward-only revenues (5111)	_____	_____	36. Other incidental regulated revenues (5264)	_____	_____
18. Long distance outward-only revenues (5112)	_____	_____	37. Other revenues settlements (5269)	_____	_____
19. Subvoice grade long distance private network revenues (5121)	_____	_____	38. Carrier billing & collection revenues (5270)	_____	_____
20. Voice grade long distance private network revenues (5122)	_____	_____	39. Total Miscellaneous Revenues (Add Lines 30 through 38)	\$ _____	\$ _____
21. Audio program grade long distance private network revenues (5123)	_____	_____	40. TOTAL GROSS REVENUES FEE (Add Lines 10, 15, 29, and 39)	\$ _____	\$ _____
22. Video program grade long distance private network revenues (5124)	_____	_____	41. Less: Amounts Paid to Other Telecommunications Companies (1)	_____	_____
23. Digital transmission grade long distance private network revenues (5125)	_____	_____	42. NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 40 less Line 41)	\$ _____	_____
24. Long distance private network switching revenues (5126)	_____	_____	43. REGULATORY ASSESSMENT FEE DUE (Multiply Line 42 by 0.0020)	_____	_____
			44. Less: Payments made for June 30 period, if any	(_____)	_____
			45. NET REGULATORY ASSESSMENT FEE DUE	\$ _____	_____
			46. Penalty for late payment (see "3. Failure to File by Due Date" on back)	_____	_____
			47. Interest for late payment (see "3. Failure to File by Due Date" on back)	_____	_____
			48. Extension Payment Fee (see "4. Extension" on back)	_____	_____
			49. TOTAL AMOUNT DUE (MINIMUM \$50.00)	\$ _____	_____ (2)

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official 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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Local Exchange Company)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, and
On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

~~*On or before January 30* for the prior twelve-month period January 1 through December 31.~~

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay the 0.0020 of its gross operating revenues derived from intrastate business. Gross Operating Revenues are defined as the total revenues before expenses. Annual revenue amounts are to be reported on the return for the period ended December 31.

On Line 41, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. **Do not deduct** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 46). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 47). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 48):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*

1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. Make your check payable to the Florida Public Service Commission. If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets & Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE FIELD(2)

Pay Telephone Service Provider Regulatory Assessment Fee Return

STATUS:

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

- Actual Return
- Estimated Return
- Amended Return

FIELD(1)

FOR PSC USE ONLY

Check # _____

\$ _____ 06-03-001
003001

\$ _____ P 06-03-001
004011

Postmark Date _____

Initials of Preparer _____

PERIOD COVERED:
FIELD(3)

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
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LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	\$ _____
2.	Gross Intrastate Revenue	_____
3.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾ (see "2. Fees" on back)	(_____)
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	\$ _____
5.	Regulatory Assessment Fee Due – (Multiply Line 4 by 0.0020)	_____
6.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____
7.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____
8.	Extension Payment Fee (see "4. Extension" on back)	_____
9.	TOTAL AMOUNT DUE (MINIMUM \$50.00)	\$ _____ (2)
10.	Number of pay telephones in operation at close of period covered by this Return	_____

- (1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).
- (2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official 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. _____	

FLORIDA PUBLIC SERVICE COMMISSION

Instructions For Filing Regulatory Assessment Fee Return
(Pay Telephone Service Provider)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, AND

On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts other than the amount on Line 3.

On Line 3, deduct any amount paid to another telecommunications company for the use of any telecommunications network (including installation charges) to provide service to its customers. ***Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals.*** **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 6). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 7). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 8):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your records, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE FIELD(2)

Shared-Tenant Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

FOR PSC USE ONLY	
Check # _____	
\$ _____	06-03-001 003001
\$ _____ P	06-03-001 004011
\$ _____ I	
Postmark Date _____	
Initials of Preparer _____	

STATUS:

- _____ Actual Return
- _____ Estimated Return
- _____ Amended Return

FIELD(1)

PERIOD COVERED:

FIELD(3)

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Intrastate Operating Revenue	\$ _____
2.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾ (see "2. Fees" on back)	_____
3.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation <i>(Line 1 less Line 2)</i>	\$ _____
4.	Regulatory Assessment Fee Due <i>(Multiply Line 3 by 0.0020)</i>	_____
5.	Penalty For Late Payment (see "3. Failure to File by Due Date" on back)	_____
6.	Interest For Late Payment (see "3. Failure to File by Due Date" on back)	_____
7.	<u>Extension Payment Fee (see "4. Extension" on back)</u>	_____
8.	TOTAL AMOUNT DUE (MINIMUM \$50.00)	\$ _____ (2)

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official 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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Shared-Tenant Service Provider)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, *AND*
On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 2, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. ***Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.***

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, **not to exceed a total penalty of 25% (Line 5)**. In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 6). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 7):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your file, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the enclosed envelope, please address your remittance as follows:

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

Interexchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

FIELD(1)

FOR PSC USE ONLY

Check # _____

\$ _____ 0603001
003001

\$ _____ P _____ 0603001
004011

\$ _____ I _____

Postmark Date _____

Initials of Preparer _____

PERIOD COVERED:

FIELD(3)

(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.	TOTAL Telephone Services	\$ _____	\$ _____
7.	LESS: Amounts Paid to Telecommunications Companies ⁽¹⁾	(_____)	(_____)
8.	TOTAL REVENUES For Regulatory Assessment Fee Calculation		\$ _____
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0020)		_____
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.	Extension Payment Fee (see "4. Extension" on back)		_____
13.	TOTAL AMOUNT DUE (\$50 MINIMUM)		\$ _____ ⁽²⁾

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 20____

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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Interexchange Company)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment is required twice a year and must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts other than the amount in Line 7.

On Line 7, deduct any amounts paid to a telecommunications company for the use of any telecommunications network to provide service to its customers. ***Do not deduct*** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 10). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 11). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or remove the company from the list of companies registered to provide service. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 12):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original and in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

NOTICE OF PROPOSED RULEMAKING
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 040436-TP

RULE TITLE:

RULE NO.:

Regulatory Assessment Fees; Telecommunications Companies 25-4.0161

PURPOSE AND EFFECT: To increase the amount of regulatory assessment fees paid by certificated or registered telecommunications companies to cover the Public Service Commission's actual cost of regulating the companies.

SUMMARY: Raises the regulatory assessment fee of .15% of a certificated or registered communication company's gross operating revenues derived from intrastate business to .20%.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The rule will increase the amount of regulatory fees that telecommunications companies must pay.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 350.113, , 364.02(13), 364.336, FS

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE THESE PROPOSED RULE(S) IS:

Christiana Moore, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6245.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.

(1) As applicable and as provided in Sections 350.113, 364.02(13) and 364.336, Florida Statutes, each company shall remit a fee based upon its gross operating revenue as provided below. This fee shall be referred to as a regulatory assessment fee, and each company shall pay a regulatory assessment fee in the amount of 0.0020 ~~0.0015~~ gross operating revenues derived from intrastate business. For the purpose of determining this fee, each telecommunications company shall deduct from gross operating revenues any amount paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed.

(2) – (3) No change.

(4) Commission Form PSC/CMP 25 (___/___), entitled “Local Exchange Company Regulatory Assessment Fee Return,” Form PSC/CMP 26 (___/___), entitled “Pay Telephone Service Provider Regulatory Assessment Fee Return”; Form PSC/CMP 34 (___/___), entitled “Shared Tenant Service Provider Regulatory Assessment Fee Return”; Form PSC/CMP 153 (___/___), entitled “Interexchange Company Regulatory Assessment Fee Return”; and Form PSC/CMP 1 (___/___), entitled “Alternative Access Vendor Regulatory Assessment Fee Return”; and Form PSC/CMP 7(___/___), entitled “Competitive Local Exchange Company Regulatory

Assessment Fee Return” are incorporated into this rule by reference and may be obtained from the Commission’s Division of the Commission Clerk and Administrative Services.

(5) – (7) No change.

(a) The request for extension must be submitted on Form PSC/CCA 124 (/) written and will be granted if the company has applied for the extension within the time required in (b) below and the company does not have any unpaid regulatory assessment fees, penalties or interest due from a prior year ~~accompanied by a statement of good cause.~~ Form PSC/CCA 124 (/), entitled “Regulatory Assessment Fee Extension Request” is incorporated into this rule by reference and may be obtained from the Commission’s Division of the Commission Clerk and Administrative Services.

(b) – (8) No change.

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 364.02(13), 364.336 FS.

History–New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-26-95, 7-7-96, 11-11-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Mailhot

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: October 5, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 30, Number 21, May 21, 2004

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant

must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)-413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

STATEMENT OF FACTS AND CIRCUMSTANCES
JUSTIFYING RULE

Sections 350.113 and 364.336, Florida Statutes, require regulated companies under the Commission's jurisdiction to pay fees to the Commission based upon their gross operating revenues. Section 350.113(3) further requires that such regulatory assessment fees (RAF) shall, to the extent practicable, be related to the cost of regulation. Rule 25-4.0161, F.A.C., currently sets the RAF rate at .15 percent of the companies' gross operating revenues derived from intrastate business. Based upon the most recent projection of costs for Fiscal Year 2005-2006, RAFs collected from the telecommunications industry at the current rate are expected to be at least \$3.1 million less than the cost of regulating the industry. This has resulted from changes in state and federal law, resulting structural changes to the industry, a Florida Supreme Court decision excluding directory advertising revenues from RAFs, a decline in telephone company intrastate revenues subject to the fee and changes in the overall state budget process. Internally, the Commission has changed the way it allocates employees' work time to more accurately reflect work time spent on the different industries. The percentage of revenues paid by telecommunications companies must be increased to cover the actual costs of regulation.

STATEMENT ON FEDERAL STANDARDS

There is no federal standard on the same subject.



Public Service Commission
CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: September 9, 2004
TO: Office of General Counsel (Moore)
FROM: Division of Economic Regulation (Hewitt) *[Handwritten initials]*
RE: Revised Statement of Estimated Regulatory Costs for Proposed Rule Amendments to 25-4.0161, F.A.C., Regulatory Assessment Fees; Docket No. 040436-TP

SUMMARY OF THE RULE

Rule 25-4.0161, F.A.C., Regulatory Assessment Fees (RAFs) sets the rate at which telecommunications companies are assessed for regulatory costs. Currently, the assessed rate is 0.15% of a certificated or registered company's gross operating revenues derived from intrastate business.

The proposed rule would increase the telecommunications companies RAF rate to 0.20% because the current rate is not generating sufficient RAFs to cover the regulatory costs.

ESTIMATED NUMBER OF ENTITIES REQUIRED TO COMPLY AND GENERAL DESCRIPTION OF INDIVIDUALS AFFECTED

The telecommunications companies certificated or registered by the Commission would be affected. There are 10 incumbent local exchange companies (ILECs), 23 alternative access vendors (AAVs) plus 17 with competitive local exchange authority, 404 competitive local exchange companies (CLECs), 468 payphone companies, 31 shared tenant services companies and 703 interexchange companies currently active. The increase in RAFs may be passed on to the customers of some of these companies.

RULE IMPLEMENTATION AND ENFORCEMENT COST AND IMPACT ON REVENUES FOR THE AGENCY AND OTHER STATE AND LOCAL GOVERNMENT ENTITIES

The usual rule implementation costs would be incurred with this rule change as well as the cost to revise RAF forms. Enforcement costs should remain the same with the rule change. There would be a positive impact on Commission RAF revenues of an estimated \$2,712,680 (\$2,926,300 less \$213,120 paid to the state General Revenue Fund), based on the latest estimated gross intrastate revenues for 2005-06:

Estimated 2005-06 Gross Intrastate Revenues -	\$5,852,600,000
RAFs @ 0.15% -	\$8,778,900
RAFs @ 0.20% -	\$11,705,200

There could be an increase in the amount of RAFs paid on other state and local government entities' regulated communications companies' bills, depending on how much of the increased rate is passed on to the customer.

ESTIMATED TRANSACTIONAL COSTS TO INDIVIDUALS AND ENTITIES

Regulated companies would have to prepare their RAF forms for submission to the Commission as usual but at a higher rate. Companies able to revise the amount collected from customers at the higher rate may have some minor transactional costs to implement the increase.

The proposed rule change would increase the bill of regulated companies' customers if passed along. The RAF on a \$100 telecom bill could have a maximum increase from \$0.15 to \$0.20 due to the RAF rate increase if 100% of the increased rate were to be passed on to the customer.

All ILECs but one are under price cap regulation and could not include the higher RAF in their basic telephone rates. ILECs under price caps may increase their prices once a year by the amount of inflation minus 1%. The one ILEC under rate base regulation would have to wait until a rate case to pass along a RAF increase. ILECs may be able to recover some of the increased RAF through unregulated services such as call-waiting or caller ID charges depending on how competitive their markets are. Based on the actual year 2002 reported ILEC intrastate revenues of \$4,970,336,667, ILECs' RAFs would have been \$2,485,168 higher with the proposed RAF rate.

Other telecommunications companies do not have price caps but being in a competitive market they may choose not to pass along the full amount of the RAF increase. All other telecommunications companies besides the ILECs had year 2002 intrastate revenues of \$1,583,874,666 and would have paid an additional \$791,937 with the higher RAF. Although the increased RAF is \$0.05 per \$100 in revenues, some companies at the margin may decide that the increase makes it that much harder to make enough revenue to stay in business. If there are any companies that leave the market, the increased RAF benefits to the commission would be reduced by at least the minimum \$50 RAF paid per company.

IMPACT ON SMALL BUSINESSES, SMALL CITIES, OR SMALL COUNTIES

Small businesses, cities, and counties would have their telecom bills from regulated companies increase by the increase in the RAF rate if passed along by their telecom companies. The main benefit would come from maintaining required regulatory oversight by the Commission.

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