

State of Florida



ORIGINAL

Public Service Commission

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

RECEIVED - FPSC

OCT 22 AM 11:32

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

COMMISSION
CLERK

DATE: October 21, 2004

TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director

FROM: Paula J. Isler, Research Assistant, Division of Competitive Markets & Enforcement *Pji*

RE: Docket No. 040852-TX - David A. Chesson and Ted J. Moss d/b/a Phone-Out/Phone-On

On October 11, 2004, I was provided the attached letter from the company's President, Mr. David A. Chesson, requesting cancellation of his certificate. Also attached is a copy of my letter dated October 21, 2004, to Mr. Chesson providing him the company's options for cancelling his certificate. A response is requested from the company by November 5, 2004. Please document the two letters in Docket No. 040852-TX.

Let me know if you have any questions.

cc: Office of the General Counsel (Scott)

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

DOCUMENT NUMBER-DATE

11434 OCT 22 3

FPSC-COMMISSION CLERK

WMM ✓

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

October 21, 2004

Mr. David A. Chesson, President
Phone-Out/Phone-On (TX445)
1012 Gregg Street
Leesburg, FL 34748

Re: Docket No. 040852-TX

Dear Mr. Chesson:

On October 8, 2004, the Commission received your letter dated September 28th advising that you thought you had cancelled your certificate in December 2003 since you have not had any customers since that time. Your September 28th letter is the first request for cancellation this Commission has received.

The Regulatory Assessment Fee is applicable if a certificate is active for any portion of a calendar year, whether or not a company ever started operations. The fee is .0015% of a company's intrastate revenues or \$50, whichever is greater, and is due by January 30th of the subsequent year. Docket No. 040852-TX was established on August 13, 2004, for nonpayment of the 2003 fee, which remains unpaid. In addition, the 2004 fee is applicable. The 2003 and 2004 Regulatory Assessment Fee returns are enclosed.

Since you've requested cancellation, you have two options. The first is to pay the past due amount of \$123.50 in full (breakdown enclosed) and complete and file the 2003 and 2004 Regulatory Assessment Fee returns. For this option, staff would take a recommendation to the Commissioners and recommend that a voluntary cancellation be granted and the docket closed. The second option is to do nothing. For this option, staff would take a recommendation to the Commissioners and recommend that your request for voluntary cancellation be denied and any unpaid Regulatory Assessment Fees, including statutory late payment charges, be turned over to collections.

Please review this and let me know by November 5, 2004, how you wish to proceed. If you have any questions, I can be reached at (850) 413-6502-phone, (850) 413-6503-fax, by internet e-mail at PIsler@psc.state.fl.us, or at the address below.

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler".

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)

TX445-03-0-R
Phone-Out/Phone-On
1012 Gregg Street
Leesburg, FL 34748-4338

Docket # 040852-TX (Isler)

Please Complete Below If Official Mailing Address Has Changed

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

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

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ _____	\$ _____
2.	Long Distance Services (IntraLATA only)**	_____	_____
3.	Access Services	_____	_____
4.	Private Line Services	_____	_____
5.	Leased Facilities & Circuits Services	_____	_____
6.	Miscellaneous Services	_____	_____
7.	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. _____

Competitive Local Exchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
 Estimated Return
 Amended Return

PERIOD COVERED:
01/01/2004 TO 12/31/2004

Florida Public Service Commission

(See Filing Instructions on Back of Form)

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\$ _____ P	06-03-001 004011
\$ _____ I	
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Initials of Preparer _____	

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 (Signature of Company Official) (Title) (Date)

 (Preparer of Form - Please Print Name) Telephone Number () Fax Number ()

F.E.I. No. _____

David A. Chesson and Ted J. Moss d/b/a Phone-Out/Phone-On (TX445)

Year	Fee	Penalty	Interest	Notes
2002	\$0.00	\$5.00	\$1.00	Payment was due by 01/30/03. Payment for the fee was postmarked 03/20/03, leaving a \$6.00 balance for late payment.
2003	\$50.00	\$12.50	\$5.00	Payment was due by 01/30/04. Payment has not been received. Total due for 2003 is \$67.50.
2004	\$50.00	N/A	N/A	Total due for 2004 fee is the minimum \$50.00.
TOTAL	\$100.00	\$17.50	\$6.00	Grand Total: \$123.50

P. Isler

Docket No. 040852-TX

Certified as David A. Chesson and Ted J. Moss dba Phone-out/Phone-on

070002

10-11-04

PHONE OUT - PHONE ON

RECEIVED: FPSC

1012 GREGG ST.

04 OCT -8 AM 9:58

LEESBURG, FL. 34748

COMMISSION CLERK

- med affects this add

SEPT. 28, 2004

open dtt 8-13-04
040852 TV
Compliance investigation
violation rule 25-4 0161-
at/decem 10-21-04

ATTN. Florida Public Service Commission

We are still receiving mail from your office, So we must have not been taking off the active list.

I thought we surrendered our certificate last December 2003.

Please consider this an official notice that Phone out hasn't had any customers since Dec. 03 and would like to surrender our

Certificate # TX445 Do to increasing medical reasons I have not been able to run this business.

Cordially,

David A. Chesson

10-11-04
Reg. Lt to
Comp/Isler

2004 OCT 11 PM 3:07
DIVISION OF
COMPETITIVE SERVICES