

State of Florida



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: March 31, 2005
TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director
FROM: Dovie L. Rockette-Gray, Attorney, Office of the General Counsel *JRS AL*
RE: Docket No. 040211-TP – Bankruptcy cancellation by Florida Public Service Commission of AAV Certificate No. 7612 (TA055) and CLEC Certificate No. 7611(TX523) issued to Enron Telecommunications, Inc., effective 3/4/04.

Request for permission from Department of Financial Services to Write Off the RAFs for years 2001, 2002, 2003, and 2004 for Enron Telecommunications, Inc. (TA055, TX523).

On March 9, 2004, Docket No. 040211-TP was established to address Enron Telecommunications, Inc.'s (Enron) failure to remit RAF's for the years 2001, 2002, 2003, and 2004 under Certificate No. 7612 (TA055) and years 2000, 2001, 2002, 2003, and 2004 under Certificate 7611 (TX523). By Order No. PSC-04-0372-PAA-TP, issued April 7, 2004, the Commission approved the cancellation of Enron's Alternative Access Vendor Certificate No. 7612 (TA055) and Competitive Local Exchange Telecommunications (CLEC) Certificate No. 7611 (TX523). The Commission further ordered that the outstanding Regulatory Assessment Fees not be sent to the Department of Financial Services for collection, but instead, that the Division of the Commission Clerk and Administrative Services should request permission to write off the uncollectible amount.

Therefore, staff requests that the Bureau of Administrative Services/Fiscal Services Section take the appropriate steps to seek permission from the Department of Financial Services to write-off the uncollectible RAF's for the years 2001, 2002, 2003, and 2004 under Certificate No. 7612 (TA055) and years 2000, 2001, 2002, 2003, and 2004 under Certificate 7611 (TX523) for Enron Telecommunications, Inc.

DOCUMENT NUMBER-DATE

03299 APR -4 '05

FPSC-COMMISSION CLERK

4. 040211-TP Enron Telecommunications, Inc. TA055

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
% Enron Corp., P.O. Box 1188, Houston, TX 77251-1188					
Last Known Address (Include Zip)					
(713) 345-8293		50.00		0	50.00
Home Telephone	Work Phone	Principal Amount		Penalty/Interest Amount	Total

Section 364.336, 350.113 Florida Statutes, Rule 25-4.0161, F.A.C 2004

Penalty/Interest Authority	Date Debt Incurred	Debt Type
Debt Description, e.g., Drivers License, Property Damage		
Additional Information, e.g., Date of Birth, Drivers License Number, etc		

5.

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
Last Known Address (Include Zip)					
Home Telephone	Work Phone	Principal Amount		Penalty/Interest Amount	Total
Penalty/Interest Authority		Date Debt Incurred		Debt Type	
Debt Description, e.g., Drivers License, Property Damage					
Additional Information, e.g., Date of Birth, Drivers License Number, etc					

6.

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
Last Known Address (Include Zip)					
Home Telephone	Work Phone	Principal Amount		Penalty/Interest Amount	Total
Penalty/Interest Authority		Date Debt Incurred		Debt Type	
Debt Description, e.g., Drivers License, Property Damage					
Additional Information, e.g., Date of Birth, Drivers License Number, etc					

7.

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
Last Known Address (Include Zip)					
Home Telephone	Work Phone	Principal Amount		Penalty/Interest Amount	Total
Penalty/Interest Authority		Date Debt Incurred		Debt Type	
Debt Description, e.g., Drivers License, Property Damage					
Additional Information, e.g., Date of Birth, Drivers License Number, etc					

****DEBIT TYPE CODE****

- 1. RETURNED CHECK
- 2. NONPAYMENT FOR STATE GOODS/SERVICES
- 3. DAMAGE TO STATE PROPERTY
- 7. COURT ORDER
- 8. FINES
- 9. OVERPAYMENT OF STATE FUNDS

4.	040211-TP	Enron Telecommunications, Inc.			TX523	
	Agency Reference #	Last Name	First	M	Social Security #	DFS use only
	% Enron Corp., P.O. Box 1188, Houston, TX 77251-1188					
	Last Known Address (Include Zip)					
	(713) 345-8293	50.00	5.00 / 1.00		56.00	
	Home Telephone	Work Phone	Principal Amount	Penalty/Interest	Amount	Total
	Section 364.336, 350.113 Florida Statutes, Rule 25-4.0161, F.A.C 2003					8
	Penalty/Interest Authority		Date Debt Incurred		Debt Type	
Debt Description, e.g., Drivers License, Property Damage						
Additional Information, e.g., Date of Birth, Drivers License Number, etc						

5.	040211-TP	Enron Telecommunications, Inc.			TX523	
	Agency Reference #	Last Name	First	M	Social Security #	DFS use only
	% Enron Corp., P.O. Box 1188, Houston, TX 77251-1188					
	Last Known Address (Include Zip)					
	(713) 345-8293	50.00	0		50.00	
	Home Telephone	Work Phone	Principal Amount	Penalty/Interest	Amount	Total
	Section 364.336, 350.113 Florida Statutes, Rule 25-4.0161, F.A.C 2004					8
	Penalty/Interest Authority		Date Debt Incurred		Debt Type	
Debt Description, e.g., Drivers License, Property Damage						
Additional Information, e.g., Date of Birth, Drivers License Number, etc						

6.						
	Agency Reference #	Last Name	First	M	Social Security #	DFS use only
	Last Known Address (Include Zip)					
	Home Telephone	Work Phone	Principal Amount	Penalty/Interest	Amount	Total
	Penalty/Interest Authority		Date Debt Incurred		Debt Type	
Debt Description, e.g., Drivers License, Property Damage						
Additional Information, e.g., Date of Birth, Drivers License Number, etc						

7.						
	Agency Reference #	Last Name	First	M	Social Security #	DFS use only
	Last Known Address (Include Zip)					
	Home Telephone	Work Phone	Principal Amount	Penalty/Interest	Amount	Total
	Penalty/Interest Authority		Date Debt Incurred		Debt Type	
Debt Description, e.g., Drivers License, Property Damage						
Additional Information, e.g., Date of Birth, Drivers License Number, etc						

****DEBIT TYPE CODE****

1. RETURNED CHECK 2. NONPAYMENT FOR STATE GOODS/SERVICES 3. DAMAGE TO STATE PROPERTY
 7. COURT ORDER 8. FINES 9. OVERPAYMENT OF STATE FUNDS

GENERAL INSTRUCTIONS

Provide as much information as possible for each account or returned check listed. Names should include legal entities as well as individuals. Principal Amount is the original amount of the debt excluding any service charge, penalty, and/or interest. Penalty/Interest Amount is the amount of the service charge, penalty, and/or interest due to date on the delinquent account or returned check. For those accounts subject to interest charges, please indicate the interest rate, method of calculation, and whether the rate is subject to change. Penalty/Interest Authority is the Florida Statutory and/or Florida Administrative Code citation authorizing the service charge, penalty, and/or interest on delinquent accounts and returned checks. Date Incurred is the date the account became delinquent; e.g., the date a check was returned marked NSF, the date an invoice was due to be paid, etc. Debt Type must be indicated using the codes listed at the bottom of the form.

In order to properly pursue a delinquent account the Bureau of Accounting and the collection agency, if used, require pertinent information about the debt and debtor. Such information regarding the debt should be provided in the area titled Debt Description and include the purpose of the original payment by check; type of goods/services provided; what, when, and where State property was damaged; when, why and what court ordered a payment; when and why a fine was issued; for what and when were State funds overpaid; etc. Additional Information about the debtor should include, if available, date of birth, driver license number, credit card type and number, names and addresses of relatives, and any other information that may be used to locate the debtor. The more the Bureau and the collection agency know about the debt and debtor the more likely the recovery of the debt.

To facilitate the transfer of moneys collected, each agency shall designate one FLAIR revenue account code to which all moneys will be transferred by the journal transfer. Agencies will be provided a detailed listing of amounts collected and collection fees charged for each amount. The Department will also provide instructions in accordance with Generally Accepted Accounting Principles on the appropriate method of recording the difference between any moneys collected and the amount of the delinquent account; i.e., treat the difference as cost of collection or provide approval for adjusting the balance of the account pursuant to Section 17.04, Florida Statutes.

Forms and Questions should be addressed to:

Department of Financial Services
Bureau of Accounting
Room 414 Fletcher Building
200 East Gaines Street
Tallahassee, Florida 32399-0354
(850) 410-9365 / SC 210-9365