

ORIGINAL

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON  
LISA POLAK EDGAR



DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

Public Service Commission

April 28, 2005

Mr. Burton Marshall  
Office of the Comptroller  
Bureau of Accounting  
101 East Gaines Street  
Tallahassee, FL 32399-0305

RECEIVED-41 SC  
MAY -3 AM 10:24  
COMMISSION  
CLERK

Dear Mr. Marshall:

The Public Service Commission has exercised reasonable efforts to collect Regulatory Assessment Fees from the utility referenced below. However, due to bankruptcy, collection efforts would not be cost effective.

DOCKET NUMBER	UTILITY NAME	TOTAL AMOUNT
040158-TX	EZ Talk Communication,L.L.C..	\$20,000.00

The Delinquent Accounts Receivable Transmittal form, a memorandum from the Commission's Office of the General Counsel, and other supporting documentation are enclosed. At your discretion, please attempt collection or grant this agency permission to write off the debts.

Sincerely,

*Blanca S. Bayó*  
Blanca S. Bayó

CMP \_\_\_\_\_

COM \_\_\_\_\_

CTR \_\_\_\_\_ BB:sf

ECR \_\_\_\_\_ Enclosures

GCL \_\_\_\_\_ c: Office of the General Counsel (Keating)

\_\_\_\_\_ Division of Competitive Markets and Enforcement (Isler)

DPC \_\_\_\_\_ Commission Clerk and Administrative Services Division (Brown, Flynn)

MMS \_\_\_\_\_

RCA \_\_\_\_\_ R:\Write Off Letters\FY 2004 - 2005\Write Off Letter EZ Talk .doc

SCR \_\_\_\_\_

SEC 1

OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

04304 MAY-3 05

FPSC-COMMISSION CLERK

State of Florida



ORIGINAL

Public Service Commission

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

COMMUNICATIONS  
ADMINISTRATIVE SERVICES

RECEIVED TPOC

APR 20 11:34

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

COMMISSION  
CLERK

**DATE:** April 15, 2005

**TO:** Blanca S. Bayó, Director, Division of the Commission Clerk & Administrative Services

**FROM:** Jeremy L. Susac, Senior Attorney, Office of the General Counsel *JLS*

**RE:** Docket 040158-TX Compliance investigation of EZ Talk Communications, L.L.C. for apparent violation of Rule 25-22.032, F.A.C., Consumer Complaints

Request for permission from Department of Financial Services to Write Off the \$20,000 penalty assessed to EZ Talk Communications, L.L.C.

In October 2003, the Commission received two consumer complaints against EZ Talk Communications, L.L.C. (EZ Talk) and attempted to obtain responses from the company pursuant to Rule 25-2.032(5)(a), Florida Administrative Code. No responses were obtained and Order No. PSC-04-0393-PAA-TX, was issued on April 13, 2004, penalizing the company in the amount of \$20,000, or in the alternative, canceling its certificate, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No Petition for Formal Proceeding was initiated and the Order became final and effective.

On May 24, 2004, staff received notice that EZ Talk had filed for Chapter 11 bankruptcy protection on January 8, 2004, and that the case had been converted to a Chapter 7 bankruptcy proceeding on March 4, 2004. The notice specifically requested that based on 11 U.S.C.S. §362(a)(1) and (3), the commencement or continuation of all actions against EZ Talk must be automatically stayed and is prohibited.

**CMP** \_\_\_\_\_

**COM** \_\_\_\_\_ Upon consideration of the notice, the Commission issued Order No. PSC-04-1253-PAA-TX, on December 17, 2004, vacating Order No. PSC-04-0393-PAA-TX, and granting EZ Talk

**CTR** \_\_\_\_\_ Communications, L.L.C.'s request for cancellation of its CLEC Certificate No. 5530 with an

**ECR** \_\_\_\_\_ effective date of November 30, 2004. The Commission further ordered that the outstanding

**ECL** \_\_\_\_\_ penalty not be sent to the Department of Financial Services for collection, but instead, that the

**OPC** \_\_\_\_\_ Division of the Commission Clerk and Administrative Services should request permission to

\_\_\_\_\_ write off the uncollectible amount.

**NDWS** \_\_\_\_\_

**BCA** \_\_\_\_\_ Therefore, staff requests that the Bureau of Administrative Services/Fiscal Services

**SCR** \_\_\_\_\_ Section take the appropriate steps to seek permission from the Department of Financial Services

\_\_\_\_\_ to write off the uncollectible penalty of \$20,000.

**SEC**   1   JLS/js

**OTH** *Belcher*  
cc: Karen Belcher

DOCUMENT NUMBER-DATE

03924 APR 21 05

5800 COMMISSION CLERK

**STATE OF FLORIDA  
DEPARTMENT OF FINANCIAL SERVICES  
BUREAU OF ACCOUNTING  
DELINQUENT ACCOUNTS RECEIVABLE TRANSMITTAL  
(PLEASE PRINT OR TYPE)**

AGENCY FLORIDA PUBLIC SERVICE COMMISSION DATE April 15, 2005 PAGE 1 OF 1  
 CONTACT KAREN BELCHER, DIRECTOR, FISCAL SERVICES  
 PHONE NUMBER 850-413-6273  
 FLAIR ACCOUNT CODE SAMAS ACCOUNT CODES: 61 50 2 573003 610100 00 000300  
 61 74 1 000331 610100 00 001200

**1. Docket No. 040158-TX EZ Talk Communications, LLC Jim Brown, Ronald R. Peterson/Karin H. Berg**

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
One IBM Plaza, Suite 3800; Chicago, IL 60611					
Last Known Address (Include Zip)					
(312) 222-9350	FAX - (312) 840-7352			\$20,000	\$20,000
Home Telephone	Work Phone	Principal Amount	Penalty/Interest	Amount	Total
Rules 25-2.032(5)(a) and 25-22.029, 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					

**2.**

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					

**3.**

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