

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

**Date:** 10/6/2005      **Docket No.:** 050731-TT

**1. Division Name/Staff Name:** Division Of Competitive Markets & Enforcement/Isler

**2. OPR:** Division Of Competitive Markets & Enforcement

**3. OCR:** Office Of The General Counsel

**4. Suggested Docket Title:** Compliance investigation of Exergy Group, LLC, IXC Registration No. TJ770, for apparent violation of Section 364.336, Florida Statutes.

**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

09572 OCT-6-05

Florida Department of State - Division of Corporations

# Corporations Online

Online Information

Public Inquiry

## Florida Limited Liability

### ENERGY GROUP LLC

#### PRINCIPAL ADDRESS

1550 WEST BAYVIEW STREET, SUITE 602  
MIAMI BEACH FL 33104  
(Changed: 05/26/2005)

#### MAILING ADDRESS

1550 WEST BAYVIEW STREET, SUITE 602  
MIAMI BEACH FL 33104  
(Changed: 05/26/2005)

Document Number  
L02000028028

CRS Number  
9200268

Date Filed  
10/22/05

State  
FL

System  
CORPVAL

Effective Date  
NONE

Last Event  
NAME CHANGE  
AMENDMENT

Event Date Filed  
11/15/2005

Event Effective Date  
NONE

Total Contribution  
0.00

## Registered Agent

### Name & Address

TCS CORPORATE SERVICES, INC.  
515 E. PARK AVE.  
TALLAHASSEE FL 32301

Name Changed: 03/10/2005

Address Changed: 07/15/2005

## Manager/Member Detail

Name & Address	Title
SUFIAN, NABHAN	

1550 W. 84TH STREET STE 58

HALEAH FL 33014

MGR

### Annual Report

Report Year	Filed Date
2003	06/05/2003
2004	05/26/2004
2005	04/25/2005

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[View Event](#)

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### Document Images

Listed below are the images available for this filing.

[04/25/2005 -- ANN REP/UNIFORM BUS REP](#)  
[05/26/2004 -- ANNUAL REPORT](#)  
[06/05/2003 -- ANN REP/UNIFORM BUS REP](#)  
[03/10/2003 -- Reg. Agent Change](#)  
[11/15/2002 -- Name Change](#)  
[10/22/2002 -- Florida Limited Liabilites](#)

**THIS IS NOT AN OFFICIAL RECORD. SEE DOCUMENTS IN QUESTION FOR CONFIRMATION.**

[Corporation: Inquire](#)

[Corporation: Help](#)

10/03/2005

**FLORIDA PUBLIC SERVICE COMMISSION  
COMPLAINTS QUERY REPORT**



Division	Customer Name	Case No.	Utility	Code	Date Rec'd	Type	On Time
<b>RCA</b>							
	CARIDAD CONSUEGRA	569070T	EXERGY GROUP, LLC	TJ770	11/17/2003	LS-49	L
Date Closed:	01/16/2004	Assigned Analyst:	SHONNA MCCRAY	Closed Analyst:	SHONNA MCCRAY		
Service/Billing:	S	Savings:	0.00	How Received:	PHONE	Preliminary Type:	SLAMMING
County:	Dade	Customer Phone:	(305)-225-5376	Sent To Company:	Y	Apparent Rule Violation:	Y
						PSA:	
	ROY MARTIN	597143T	EXERGY GROUP, LLC	TJ770	05/07/2004	GI-07	T
Date Closed:	05/27/2004	Assigned Analyst:	KAULLIS MARSHALL	Closed Analyst:	KAULLIS MARSHALL		
Service/Billing:	S	Savings:	0.00	How Received:	PHONE	Preliminary Type:	SLAMMING
County:	Manatee	Customer Phone:	(941)-723-2306	Sent To Company:	Y	Apparent Rule Violation:	N
						PSA:	
	AMY FLEMING	640274T	EXERGY GROUP, LLC	TJ770	02/01/2005	GI-25	T
Date Closed:	03/18/2005	Assigned Analyst:	SHIRLEY STOKES	Closed Analyst:	SHIRLEY STOKES		
Service/Billing:	B	Savings:	0.00	How Received:	PHONE	Preliminary Type:	IMPROPER BILLS
County:	Lee	Customer Phone:	(239)-590-0767	Sent To Company:	Y	Apparent Rule Violation:	N
						PSA:	
RCA	Total Cases: 3			RCA	Total Savings: 0.00		
	Total Cases: 3				Total Savings: 0.00		

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

STATE OF FLORIDA



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

## Public Service Commission

July 29, 2005

Mr. Sufian Nabhan, CEO  
Exergy Group, LLC (TJ770)  
1550 West 84<sup>th</sup> Street, Suite 58  
Hialeah, FL 33014-3374

Dear Mr. Nabhan:

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. If payment is postmarked by August 19, 2005, the penalty is 25% and the interest is 7% of the amount owed. The interest continues to accrue until the RAF is paid.

Our records show that the 2004 RAF return notice was mailed on December 10, 2004, and a delinquent notice was mailed on February 18, 2005. As of this date, our records do not show receipt of the RAF return or payment. A copy of the 2004 RAF return form is enclosed. If full payment, including penalty and interest charges, along with the RAF return form, are not received by August 19, 2005, a docket may be established. Your company may be fined or the certificate cancelled if you do not respond. Please note that once a docket has been established, **just paying the delinquent RAF amount will not prevent the company's certificate from being cancelled.**

If you wish to cancel your certificate voluntarily and leave in good standing with the Commission, your company should write a letter requesting cancellation, pay the past due amount in full, complete the 2004 RAF return form, either pay the 2005 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 2004 Regulatory Assessment Fee return form, please use the enclosed blue envelope, which will insure prompt processing.

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 below.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paula J. Isler".

Paula J. Isler  
Bureau of Service Quality

Enclosures

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

An Affirmative Action / Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

# Interexchange Company Regulatory Assessment Fee Return

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

**STATUS:**

- Actual Return
- Estimated Return
- Amended Return

TJ770-04-0-R  
 Exergy Group, LLC  
 1550 West 84th Street, Suite 58  
 Hialeah, FL 33014-3374

(Isler)

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

**FOR PSC USE ONLY**

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

\$ \_\_\_\_\_ 06-03-001  
003001

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

\$ \_\_\_\_\_ 1

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

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

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
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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 For Regulatory Assessment Fee Calculation</b>	_____	_____
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? Amount: \$ _____ for 19 _____		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)
<b>(Preparer of Form - Please Print Name)</b>	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.**

**COMPANY IDENTIFICATION**

Printed on 07/19/2005 at 11:10:53 by PJI

Complete Name: Exergy Group, LLC

Mailing Name: Exergy Group, LLC

Company Code: TJ770                      FEID Number: 32-0045113

**RAF ACCOUNT FOR THE PERIOD 01/01/2004 THROUGH 12/31/2004**

Reg. Date: 04/25/2003                      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
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Last modification was made on Wednesday, December 1, 2004 at 9:24 AM by David Brown

EXERGY GROUP, LLC (TJ770)  
 Industry: Telecommunications, Service provided: IXC  
 Company type: Interexchange Telephone Companies  
 Regulation date: 04/25/2003, Inactive date:  
 Certificate number: N/A, County:  
 Company liaison: Sufian Nabhan, CEO  
 Mailing address:                                      Location address:  
 1550 West 84th Street, Suite 58                      1550 West 84th Street, Suite 58  
 Hialeah, FL 33014-3374                                  Hialeah, FL 33014-3374  
 E-mail address: sufian.nabhan@exergygroup.com  
 Web site: http://www.exergycomm.com  
 Phone number: (305) 503-0524  
 Fax number: (305) 364-8002  
 Period covered: 01/01/2004 through 12/31/2004                      RAF rate:  
 Operating rev:                                  \$0.00                      Interstate rev:                                  \$0.00  
 Documents: Delinquent letter mailed on 02/16/2005  
                     RAF form mailed on 12/01/2004



MCD Company Information for TJ770 | 5t

Printed on 07/14/2005 at 11:42:39 by PJI

Company Code: TJ770  
Complete Name: Exergy Group, LLC  
Mailing Name: Exergy Group, LLC  
Certificate No(s): N/A  
Status: Active  
Regulation Date: 04/25/2003  
Bankruptcy: No  
Company Liaison #1: Sufian Nabhan  
Title: CEO  
Mailing Address: 1550 West 84th Street, Suite 58  
  
Physical Location: Hialeah, FL 33014-3374  
1550 West 84th Street, Suite 58  
  
Phone: Hialeah, FL 33014-3374  
(305) 503-0524  
Fax: (305) 364-8002  
  
Related Dockets:  
030177-TI Application for certificate to provide interexchange telecommunications service by Exergy Group, LLC.