

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: November 22, 2005

TO: Director, Division of the Commission Clerk & Administrative Services (Bayó)

FROM: Division of Competitive Markets & Enforcement (Isler) *PIK*
Office of the General Counsel (Scott) *KS* *ML* *MM*

RE: Docket No. 050705-TI – Blackstone Communications Company
Docket No. 050706-TI – First Communications, LLC
Docket No. 050707-TI – JirehCom, Inc.
Docket No. 050708-TI – DanCris Telecom, L.L.C.
Docket No. 050709-TI – DSL Telecom, Inc.
Docket No. 050713-TI – Telstar International, Inc. d/b/a Telstar USA, Inc.
Docket No. 050714-TI – Global Dialtone, Inc.
Docket No. 050715-TI – VCV Communications, Inc.
Docket No. 050716-TI – BAK Communications, LLC
Docket No. 050717-TI – WorldTeq Corporation
Docket No. 050718-TI – Nextelcom Corp.
Docket No. 050719-TI – NACS Communications, Inc. d/b/a Texcom U.S.A.
Docket No. 050720-TI – JF Technology Enterprises, Ltd., Corp.
Docket No. 050721-TI – North American Telephone Network, L.L.C.
Docket No. 050725-TI – Intelecall Communications, Inc.
Docket No. 050726-TI – Global Communications Consulting Corp.
Docket No. 050727-TI – 1 Com, Inc. d/b/a 1 Com South, Inc.
Docket No. 050728-TI – Communicate Technological Systems, LLC
Docket No. 050729-TI – Vanilla Inc.
Docket No. 050730-TI – ORCA TELECOM, INC
Docket No. 050731-TI – Exergy Group, LLC
Docket No. 050732-TI – Smart Tech Services, Inc. d/b/a Smartel
Docket No. 050733-TI – American Communications, L.L.C.
Docket No. 050741-TI – Fox Communications Corporation
Docket No. 050742-TI – Saluda Networks Incorporated
Docket No. 050743-TI – AS Systems Technology, Corp.
Docket No. 050745-TI – MWMS Corporation
Docket No. 050746-TI – Worldnet Communications, Inc. d/b/a Worldnet
Communications of New York, Inc.
Docket No. 050747-TI – Fonotel Communications, Inc.
Docket No. 050748-TI – Eurocom Telecommunications, LLC

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Docket Nos. 050705-TI & Others
Date: November 22, 2005

Docket No. 050749-TI	- Intelligent Switch Services, LLC
Docket No. 050750-TI	- Westchester Telecom, Inc.
Docket No. 050755-TI	- U.S. Telecom Group, Inc.
Docket No. 050756-TI	- BW Consulting, L.L.C.
Docket No. 050757-TI	- Centrix Telecom, LLC
Docket No. 050758-TI	- Kanec (USA), Inc.
Docket No. 050759-TI	- TCS Communication Solutions, LLC
Docket No. 050760-TI	- Professional Teleservices, Inc.
Docket No. 050761-TI	- Empire Technology, Inc.
Docket No. 050762-TI	- NCS Carriers, Inc.
Docket No. 050763-TI	- Digizip.com, Inc.
Docket No. 050764-TI	- Exacta Communications Inc.
Docket No. 050780-TI	- A & A System Technology Corp.
Docket No. 050781-TI	- Fortuna Global Services, Inc.
Docket No. 050782-TI	- MLC Tel Corp.
Docket No. 050783-TI	- Ringsouth Telecom, Corp
Docket No. 050784-TI	- Focus International Telecom, LLC d/b/a US Connect
Docket No. 050785-TI	- DG-TEC, LLC
Docket No. 050786-TI	- CCD Communications, Inc.
Docket No. 050787-TI	- Skytel US, Inc.
Docket No. 050788-TI	- Pan American Telecom, L.L.C.
Docket No. 050789-TI	- Digital Telecommunications, LLC
Docket No. 050793-TI	- Poltel, LLC
Docket No. 050794-TI	- United Telecommunication Services, Inc.
Docket No. 050795-TI	- CTC Trading LLC
Docket No. 050797-TI	- Onlinetelcard.com Corp.
Docket No. 050798-TI	- Empire One Telecommunications, Incorporated
Docket No. 050799-TI	- Fusion Telekom, Inc.
Docket No. 050800-TI	- The NTI Corporation d/b/a Chase Communications

AGENDA: 12/06/05 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\CMP\WP\050705.RCM.DOC

Docket Nos. 050705-TI & Others
Date: November 22, 2005

Discussion of Issues

Issue 1: Should the Commission impose a penalty and a cost of collection, together totaling \$500, or cancel the Intrastate Interexchange Carrier's (IXC) tariff and remove from the register each company identified in Attachment A, with an effective date of December 31, 2005, for an apparent first violation of Section 364.336, Florida Statutes?

Recommendation: Yes, the companies listed in Attachment A should be penalized \$500 or have their tariffs and registrations cancelled for nonpayment of the 2004 Regulatory Assessment Fee. (Isler, Scott)

Staff Analysis: See attached proposed Order. In Docket No. 050378-TP, Rule 25-4.0161, Florida Administrative Code, was amended effective October 6, 2005, to automatically impose a penalty for late payment of the Regulatory Assessment Fee. The amended rule does not apply to the 2004 Regulatory Assessment Fee but will apply to future Regulatory Assessment Fees.

Issue 2: Should these dockets be closed?

Recommendation: Staff recommends that the Order issued from this recommendation will become final and effective upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest that identifies with specificity the issues in dispute, in the form provided by Rule 28-106.201, Florida Administrative Code, within 21 days of the issuance of the Proposed Agency Action Order. As provided by Section 120.80(13)(b), Florida Statutes, any issues not in dispute should be deemed stipulated. If any company fails to timely file a protest and to request a Section 120.57, Florida Statutes, hearing, the facts should be deemed admitted and the right to a hearing waived. If any company fails to pay the penalty and cost of collection, together totaling \$500, and Regulatory Assessment Fees, including statutory late payment charges, within fourteen (14) calendar days after the issuance of the Consummating Order, the company's tariff should be cancelled administratively, its name removed from the register, and the collection of the past due Regulatory Assessment Fees, including statutory late payment charges, should be referred to the Florida Department of Financial Services for further collection efforts. If any company's tariff is cancelled and its name removed from the register in accordance with the Commission's Order from this recommendation, the company should be required to immediately cease and desist providing intrastate interexchange telecommunications service in Florida. These dockets should be closed administratively either upon receipt of the payment of the penalty and cost of collection, and Regulatory Assessment Fees, including statutory late payment charges, or upon cancellation of the company's tariff and removal from the register. (Scott)

Staff Analysis: Staff recommends that the Commission take action as set forth in the foregoing staff recommendation statement.

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Compliance investigation of Blackstone Communications Company, IXC Registration No. TJ244, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050705-TI
In re: Compliance investigation of First Communications, LLC, IXC Registration No. TJ398, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050706-TI
In re: Compliance investigation of JirehCom, Inc., IXC Registration No. TJ406, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050707-TI
In re: Compliance investigation of DanCris Telecom, L.L.C., IXC Registration No. TJ438, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050708-TI
In re: Compliance investigation of DSL Telecom, Inc., IXC Registration No. TJ441, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050709-TI
In re: Compliance investigation of Telstar International, Inc. d/b/a Telstar USA, Inc., IXC Registration No. TJ491, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050713-TI
In re: Compliance investigation of Global Dialtone, Inc., IXC Registration No. TJ513, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050714-TI
In re: Compliance investigation of VCV Communications, Inc., IXC Registration No. TJ592, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050715-TI
In re: Compliance investigation of BAK Communications, LLC, IXC Registration No. TJ594, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050716-TI
In re: Compliance investigation of WorldTeq Corporation, IXC Registration No. TJ640, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050717-TI
In re: Compliance investigation of Nextelcom Corp., IXC Registration No. TJ642, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050718-TI
In re: Compliance investigation of NACS Communications, Inc. d/b/a Texcom U.S.A., IXC Registration No. TJ664, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050719-TI

In re: Compliance investigation of JF Technology Enterprises, Ltd., Corp., IXC Registration No. TJ681, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050720-TI
In re: Compliance investigation of North American Telephone Network, L.L.C., IXC Registration No. TJ689, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050721-TI
In re: Compliance investigation of Intelecall Communications, Inc., IXC Registration No. TJ708, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050725-TI
In re: Compliance investigation of Global Communications Consulting Corp., IXC Registration No. TJ710, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050726-TI
In re: Compliance investigation of 1 Com, Inc. d/b/a 1 Com South, Inc., IXC Registration No. TJ720, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050727-TI
In re: Compliance investigation of Communicate Technological Systems, LLC, IXC Registration No. TJ729, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050728-TI
In re: Compliance investigation of Vanilla Inc., IXC Registration No. TJ731, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050729-TI
In re: Compliance investigation of ORCA TELECOM, INC, IXC Registration No. TJ754, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050730-TI
In re: Compliance investigation of Exergy Group, LLC, IXC Registration No. TJ770, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050731-TI
In re: Compliance investigation of Smart Tech Services, Inc. d/b/a Smartel, IXC Registration No. TJ774, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050732-TI
In re: Compliance investigation of American Communications, L.L.C., IXC Registration No. TJ779, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050733-TI
In re: Compliance investigation of Fox Communications Corporation, IXC Registration No. TJ780, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050741-TI

In re: Compliance investigation of Saluda Networks Incorporated, IXC Registration No. TJ803, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050742-TI
In re: Compliance investigation of AS Systems Technology, Corp., IXC Registration No. TJ821, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050743-TI
In re: Compliance investigation of MWMS Corporation, IXC Registration No. TJ827, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050745-TI
In re: Compliance investigation of Worldnet Communications, Inc. d/b/a Worldnet Communications of New York, Inc., IXC Registration No. TJ831, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050746-TI
In re: Compliance investigation of Fonotel Communications, Inc., IXC Registration No. TJ834, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050747-TI
In re: Compliance investigation of Eurocom Telecommunications, LLC, IXC Registration No. TJ858, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050748-TI
In re: Compliance investigation of Intelligent Switch Services, LLC, IXC Registration No. TJ859, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050749-TI
In re: Compliance investigation of Westchester Telecom, Inc., IXC Registration No. TJ793, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050750-TI
In re: Compliance investigation of U.S. Telecom Group, Inc., IXC Registration No. TJ866, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050755-TI
In re: Compliance investigation of BW Consulting, L.L.C., IXC Registration No. TJ877, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050756-TI
In re: Compliance investigation of Centrix Telecom, LLC, IXC Registration No. TJ880, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050757-TI
In re: Compliance investigation of Kanec (USA), Inc., IXC Registration No. TJ886, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050758-TI

In re: Compliance investigation of TCS Communication Solutions, LLC, IXC Registration No. TJ890, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050759-TI
In re: Compliance investigation of Professional Teleservices, Inc., IXC Registration No. TJ893, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050760-TI
In re: Compliance investigation of Empire Technology, Inc., IXC Registration No. TJ904, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050761-TI
In re: Compliance investigation of NCS Carriers, Inc., IXC Registration No. TJ905, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050762-TI
In re: Compliance investigation of Digizip.com, Inc., IXC Registration No. TJ906, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050763-TI
In re: Compliance investigation of Exacta Communications Inc., IXC Registration No. TJ909, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050764-TI
In re: Compliance investigation of A & A System Technology Corp., IXC Registration No. TJ911, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050780-TI
In re: Compliance investigation of Fortuna Global Services, Inc., IXC Registration No. TJ912, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050781-TI
In re: Compliance investigation of MLC Tel Corp., IXC Registration No. TJ915, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050782-TI
In re: Compliance investigation of Ringsouth Telecom, Corp., IXC Registration No. TJ919, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050783-TI
In re: Compliance investigation of Focus International Telecom, LLC d/b/a US Connect, IXC Registration No. TJ922, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050784-TI
In re: Compliance investigation of DG-TEC, LLC, IXC Registration No. TJ924, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050785-TI

In re: Compliance investigation of CCD Communications, Inc., IXC Registration No. TJ925, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050786-TI
In re: Compliance investigation of Skytel US, Inc., IXC Registration No. TJ927, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050787-TI
In re: Compliance investigation of Pan American Telecom, L.L.C., IXC Registration No. TJ929, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050788-TI
In re: Compliance investigation of Digital Telecommunications, LLC, IXC Registration No. TJ936, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050789-TI
In re: Compliance investigation of Poltel, LLC, IXC Registration No. TJ939, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050793-TI
In re: Compliance investigation of United Telecommunication Services, Inc., IXC Registration No. TJ946, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050794-TI
In re: Compliance investigation of CTC Trading LLC, IXC Registration No. TJ954, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050795-TI
In re: Compliance investigation of Onlinetelcard.com Corp., IXC Registration No. TJ963, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050797-TI
In re: Compliance investigation of Empire One Telecommunications, Incorporated, IXC Registration No. TJ969, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050798-TI
In re: Compliance investigation of Fusion Telekom, Inc., IXC Registration No. TJ979, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050799-TI
In re: Compliance investigation of The NTI Corporation d/b/a Chase Communications, IXC Registration No. TJ980, for apparent violation of Section 364.336, F.S.	DOCKET NO. 050800-TI ORDER NO. ISSUED:

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman

J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
LISA POLAK EDGAR
ISILIO ARRIAGA

NOTICE OF PROPOSED AGENCY ACTION ORDER IMPOSING PENALTIES AND
COLLECTION COSTS, AND REQUIRING PAYMENT OF DELINQUENT REGULATORY
ASSESSMENT FEES, OR CANCELLING IXC TARIFFS AND REMOVAL FROM THE
REGISTER FOR VIOLATION OF SECTION 364.336, FLORIDA STATUTES

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

The Division of the Commission Clerk & Administrative Services (CCA) advised our staff that the entities had not paid the Regulatory Assessment Fee (RAF) in full required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the years specified below. Also, accrued statutory late payment charges required by Section 350.113(4), Florida Statutes, for the year(s) specified below had not been paid. The entities listed below were scheduled to remit their respective 2004 RAFs by January 31, 2005. In addition to RAF payment notices sent by CCA, on July 29, 2005, our staff wrote the entities specified below and advised that payment of the 2004 RAF should be paid by August 19, 2005, to avoid dockets from being established. As of November 9, 2005, the entities listed below have not paid the past due RAF, including statutory late payment charges, requested cancellation of their respective tariff and removal from the register, or proposed a settlement.

Pursuant to Section 364.285, Florida Statutes, this Commission may impose a penalty or cancel a certificate if a company refuses to comply with Commission rules. Rule 25-24.474, Florida Administrative Code, establishes the requirements for cancellation of a registration. The rule provides for this Commission to cancel a registration on its own motion for violation of Commission rules, statutes, and orders.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. Pursuant to Section 350.113(4), Florida Statutes, the Regulatory Assessment Fee return forms, for the period of January 1 through December 31, are mailed to entities at least 45 days prior to the date that payment of the fee is due. All entities that apply for registration receive a copy of our rules governing intrastate interexchange service.

<u>ENTITY'S NAME</u>	<u>REGISTRATION NO.</u>	<u>UNPAID RAFS</u>	<u>UNPAID LATE PAYMENT CHARGES</u>
Blackstone Communications Company	TJ244	2004	2000 2001 2002 2004
First Communications, LLC	TJ398	2004	2004
JirehCom, Inc.	TJ406	2004	2004
DanCris Telecom, L.L.C.	TJ438	2004	2000 2001 2004
DSL Telecom, Inc.	TJ441	2004	2004
Telstar International, Inc. d/b/a Telstar USA, Inc.	TJ491	2004	2002 2004
Global Dialtone, Inc.	TJ513	2004	2001 2002 2003 2004
VCV Communications, Inc.	TJ592	2004	2004
BAK Communications, LLC	TJ594	2004	2004
WorldTeq Corporation	TJ640	2004	2004
Nextelcom Corp.	TJ642	2004	2004
NACS Communications, Inc. d/b/a Texcom U.S.A.	TJ664	2003 2004	2002 2003 2004
JF Technology Enterprises, Ltd., Corp.	TJ681	2004	2004
North American Telephone Network, L.L.C.	TJ689	2004	2004
Intelecall Communications, Inc.	TJ708	2004	2003 2004
Global Communications Consulting Corp.	TJ710	2004	2004

<u>ENTITY'S NAME</u>	<u>REGISTRATION NO.</u>	<u>UNPAID RAFS</u>	<u>UNPAID LATE PAYMENT CHARGES</u>
1 Com, Inc. d/b/a 1 Com South, Inc.	TJ720	2004	2003 2004
Communicate Technological Systems, LLC	TJ729	2004	2004
Vanilla Inc.	TJ731	2004	2003 2004
ORCA TELECOM, INC	TJ754	2004	2004
Exergy Group, LLC	TJ770	2004	2004
Smart Tech Services, Inc. d/b/a Smartel	TJ774	2004	2004
American Communications, L.L.C.	TJ779	2004	2004
Fox Communications Corporation	TJ780	2004	2004
Saluda Networks Incorporated	TJ803	2004	2003 2004
AS Systems Technology, Corp.	TJ821	2004	2004
MWMS Corporation	TJ827	2004	2004
Worldnet Communications, Inc. d/b/a Worldnet Communications of New York, Inc.	TJ831	2004	2004
Fonotel Communications, Inc.	TJ834	2004	2004
Eurocom Telecommunications, LLC	TJ858	2004	2004
Intelligent Switch Services, LLC	TJ859	2004	2004
Westchester Telecom, Inc.	TJ793	2004	2003 2004
U.S. Telecom Group, Inc.	TJ866	2004	2004
BW Consulting, L.L.C.	TJ877	2004	2004
Centrix Telecom, LLC	TJ880	2004	2004
Kanec (USA), Inc.	TJ886	2004	2004

<u>ENTITY'S NAME</u>	<u>REGISTRATION NO.</u>	<u>UNPAID RAFS</u>	<u>UNPAID LATE PAYMENT CHARGES</u>
TCS Communication Solutions, LLC	TJ890	2004	2004
Professional Teleservices, Inc.	TJ893	2004	2004
Empire Technology, Inc.	TJ904	2004	2004
NCS Carriers, Inc.	TJ905	2004	2004
Digizip.com, Inc.	TJ906	2004	2004
Exacta Communications Inc.	TJ909	2004	2004
A & A System Technology Corp.	TJ911	2004	2004
Fortuna Global Services, Inc.	TJ912	2004	2004
MLC Tel Corp.	TJ915	2004	2004
Ringsouth Telecom, Corp	TJ919	2004	2004
Focus International Telecom, LLC d/b/a US Connect	TJ922	2004	2004
DG-TEC, LLC	TJ924	2004	2004
CCD Communications, Inc.	TJ925	2004	2004
Skytel US, Inc.	TJ927	2004	2004
Pan American Telecom, L.L.C.	TJ929	2004	2004
Digital Telecommunications, LLC	TJ936	2004	2004
Poltel, LLC	TJ939	2004	2004
United Telecommunication Services, Inc.	TJ946	2004	2004
CTC Trading LLC	TJ954	2004	2004
Onlinetelcard.com Corp.	TJ963	2004	2004

<u>ENTITY'S NAME</u>	<u>REGISTRATION NO.</u>	<u>UNPAID RAFS</u>	<u>UNPAID LATE PAYMENT CHARGES</u>
Empire One Telecommunications, Incorporated	TJ969	2004	2004
Fusion Telekom, Inc.	TJ979	2004	2004
The NTI Corporation d/b/a Chase Communications	TJ980	2004	2004

Accordingly, we hereby find it appropriate to cancel each entity's IXC tariff and remove each entity from the register for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, unless each entity pays a penalty and cost of collection, together totaling \$500, and remits all past due Regulatory Assessment Fees, along with accrued statutory late payment charges, to the Florida Public Service Commission. Each entity must comply with these requirements within 14 days after the issuance of the Consummating Order, as explained in the Notice of Further Proceedings attached to this Order. The payment should be identified with the docket number and the company's name. For any payment (full or partial) of the penalty and cost of collection received, the cost of collection will be subtracted and will be deposited in the Florida Public Service Regulatory Trust Fund, pursuant to Section 350.113, Florida Statutes. Any monetary amount exceeding the cost of collection will be remitted to the Florida Department of Financial Services for deposit in the State of Florida General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes.

When the appropriate fees, statutory late payment charges, penalties, and collection costs are received, each docket shall be closed. Should any of the entities fail to comply with this Order within 14 days after the issuance of the Consummating Order, the entity shall have its IXC tariff cancelled and its name removed from the register, effective December 31, 2005. The collection of the past due RAfs, including statutory late payment charges, should be referred to the Florida Department of Financial Services for further collection efforts, and the dockets shall be closed. The cancellation of the tariff and removal from the register in no way diminishes any of the entities' obligation to pay applicable delinquent Regulatory Assessment Fees and accrued statutory late payment charges. If an entity's IXC tariff is cancelled and its name removed from the register in accordance with this Order, that entity shall immediately cease and desist providing intrastate interexchange telecommunications services in Florida. If any of the entities listed have their respective tariff cancelled and name removed from the register, and subsequently decides to reapply for registration as an intrastate interexchange telecommunications company, that company shall be required to first pay any outstanding penalties and cost of collection and fees, including accrued statutory late payment charges. We are vested with jurisdiction over this matter pursuant to Sections 364.336, 364.02, and 364.285, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that each of the entities listed herein shall pay a penalty and cost of collection, together totaling \$500, and the past due Regulatory Assessment Fees, including statutory late payment charges, to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, within 14 days after the issuance of the Consummating Order. The cost of collection will be subtracted from any monies collected as payments (full or partial) of the penalty and cost of collection, and will be deposited, along with the past due RAFs, in the Florida Public Service Regulatory Trust Fund, pursuant to Section 350.113, Florida Statutes. The statutory late payment charge and any portion of the penalty exceeding the cost of collection will be remitted to the Florida Department of Financial Services for deposit in the State of Florida General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes. It is further

ORDERED that should any of the entities fail to comply with this Order, that entity's tariff shall be cancelled and its name removed from the register, effective December 31, 2005, and the respective docket shall be closed. It is further

ORDERED that the cancellation of the tariff and removal from the register in no way diminishes any of the entities' obligation to pay applicable delinquent Regulatory Assessment Fees, and accrued statutory late payment charges. If any company listed in this Order has its respective tariff cancelled and name removed from the register, and subsequently decides to reapply for registration as an intrastate interexchange telecommunications company, that company shall be required to first pay any outstanding penalties and cost of collection and fees, including accrued statutory late payment charges. Any unpaid Regulatory Assessment Fees, and accrued statutory late payment charges, shall be referred to the Florida Department of Financial Services for further collection efforts. It is further

ORDERED that if an entity's tariff is cancelled and its name removed from the register in accordance with this Order, that entity shall immediately cease and desist providing intrastate interexchange telecommunications service in Florida. It is further

ORDERED that any protest to the action proposed herein shall specify the entity or entities to which it applies. It is further

ORDERED that if a protest to this Order is filed, the protest shall not prevent the action proposed herein from becoming final with regard to the remaining entities listed in this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, these dockets shall be closed upon receipt of the imposed penalty and cost of collection, together totaling \$500, and Regulatory Assessment Fees, including statutory late payment charges, or upon cancellation of the registration.

By ORDER of the Florida Public Service Commission this ____ day of _____, _____.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

KS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on _____.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.