

ORIGINAL

Gestatio, Inc.
1200 Brickell Avenue, Suite 900
Miami, FL 33131-3212

RECEIVED--FPSC

06 AUG -9 AM 9: 36

COMMISSION
CLERK

August 8, 2006

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Florida Public Service Commission
Director, Division of the Commission Clerk
and Administrative Services
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Re: Gestatio, Inc.
Company Code TJ962
Petition under Fla. Adm. Code Rule 28-106.201
Docket No. 060466-TI
Order No. PSC 06-0615-PAA-TI
Issued July 20, 2006

Dear Sir or Madam:

We respectfully petition under Fla. Adm. Code Rule 28-106.201 for relief of notice of proposed agency action order imposing penalties and collection costs and requiring payment of delinquent regulatory assessment fees or canceling intrastate interexchange telecommunications tariff and registration for violation of section 364.336 of Florida Statutes per Florida Public Service Commission (PSC) Docket No. 060466-TI, Order No. PSC-06-0615-PAA-TI, Issued July 20, 2006. A copy of said order was received by the Petitioning Company on August 7, 2006.

CMP _____ We name as our qualified representative our Company's Chief Accounting Officer
COM _____ (CAO) Mr. Daniel H. Hurtado, whose address and telephone number are as follows:
CTR _____ 7999 NW 53 Street, Doral, FL 33166, Telephone No. (305) 715-9920. This shall be our
ECR _____ address for service purposes during the course of the proceedings.

GCL _____ Our Company's interest shall be affected by the PSC's determination of imposing a
OPC _____ \$500.00 penalty and cost of collection cost for allegedly not paying its annual regulatory
RCA _____ assessment fee of \$50.00 for the assessment period of January 1, 2005 to December 31,
SCR _____ 2005, which was due on January 30, 2006, and/or its canceling of our tariff and
registration.

SGA _____ **DISPUTED ISSUES OF MATERIAL FACTS:** The Division of the Commission Clerk
SEC | _____ and Administrative Services advised the PSC that our Company failed to comply with
OTH _____ Section 364.336 of Florida Statutes and Rule 25-4.0161 of the Florida Administrative
Code.

DOCUMENT NUMBER-DATE

07140 AUG-9 8

August 8, 2006

CONCISE STATEMENT OF ULTIMATE FACTS ALLEGED BY PETITIONER:

1. Petitioner never received current assessment period regulatory assessment fee return form for the 12 month period ended December 31, 2005 from the PSC pursuant to Florida Statutes Section 350.113(4) which should have been mailed at least 45 days prior to the date that payment of the fee is due.
2. In light of not receiving said form, Petitioner used a prior period form with basically the same information as required of the current assessment period form, and included a check in the amount of \$50.00 payable to the Florida Public Service Commission. Said form and payment were mailed to the PSC through the United States Postal Service on January 20, 2006 (see attached copies of return and bank draft).


STATEMENT OF LAW THAT REQUIRES REVERSAL OR MODIFICATION OF THE PSC'S PROPOSED ACTION.

In equity, failure of Petitioner to use current form should not have impeded the PSC's staff from receiving the fee and processing the information contained within, taking into account that Petitioner did not receive the current assessment form. PSC's staff should have requested of Petitioner to correct any deficiency prior to recommending sanctions against Petitioner.

RELIEF SOUGHT:

Petitioner seeks relieve from the proposed sanctions and an opportunity to correct any deficiency by not having used the current reporting period's form.

Sincerely


Fernando M Arzuaga
Vice President

Interexchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
 Estimated Return
 Amended Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

~~XXXXXX~~(1)
 TJ962-04-0-D
 Gestatio, Inc.
 1200 Brickell Ave., Suite 900
 Miami, FL 33131-3212

PERIOD COVERED:

~~XXXXXX~~(3)
 01/01/2005 to
 12/31/2005

Please Complete Below If Official Mailing Address Has Changed

Gestatio, Inc. 1200 Brickell Ave., Suite 900, Miami, FL 33131-3212
(Name of Company) (Address) (City/State) (Zip)

FOR PSC USE ONLY

Check# _____

\$ _____ 0603001
 _____ 003001

\$ _____ P
 _____ 0603001
 _____ 004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Long Distance Services	\$ 302.15	\$ 0.00
2.	Access Services	0.00	0.00
3.	Private Line Services	0.00	0.00
4.	Leased Facilities & Circuits Services	0.00	0.00
5.	Miscellaneous Services	13,615.00	0.00
6.	TOTAL Telephone Services	\$ 13,917.15	\$ 0.00
7.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	(0.00	(0.00
8.	TOTAL REVENUES For Regulatory Assessment Fee Calculation	13,917.15	0.00
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)	2.09	0.00
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	0.00	50.00
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	0.00	0.00
12.	TOTAL AMOUNT DUE	2.09	50.00

* 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 (x) Reseller
 () Alternate-Operator Service () Rebiller
 () Call Aggregator
 () 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 (x) 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)
Fernando M. Arzuaga
 (Preparer of Form - Please Print Name)

Vice president Jan 19, 2006
 (Title) (Date)

Telephone Number: 786 206-0187 Fax Number: 786-549-4622

F.E.I. No. 52-2206232

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Compliance investigation of IXC registration holders for apparent first-time violation of Section 364.336, F.S. | DOCKET NO. 060466-TI
ORDER NO. PSC-06-0615-PAA-TI
ISSUED: July 20, 2006

NOTICE OF PROPOSED AGENCY ACTION ORDER IMPOSING PENALTIES AND COLLECTION COSTS, AND REQUIRING PAYMENT OF DELINQUENT REGULATORY ASSESSMENT FEES, OR CANCELLING INTRASTATE INTEREXCHANGE TELECOMMUNICATIONS TARIFF AND REGISTRATION 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.

Pursuant to Rule 25-4.0161(10), Florida Administrative Code, telecommunications companies that fail to pay the Regulatory Assessment Fee, including statutory late payment charges, within 15 days after receiving a delinquent notice, shall be automatically penalized \$500 for a first offense, \$1,000 for a second offense, and \$2,000 for a third offense. The penalty amounts include collection costs. If an entity fails to pay the Regulatory Assessment Fee in full, including statutory late payment charges, along with the penalty amount, that entity's IXC tariff and registration shall be cancelled.

Pursuant to Section 364.336, Florida Statutes, registration holders must pay a minimum annual Regulatory Assessment Fee of \$50 if the registration 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 a registration receive a copy of our rules governing intrastate interexchange service (IXC).

The Division of the Commission Clerk and Administrative Services (CCA) advised our staff that the entities listed below failed to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.

DOCUMENT NUMBER - DATE

06372 JUL 20 06

FPSC - COMMISSION CLERK

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ENTITY'S NAME	CO. CODE
Easylink Services USA, Inc.	TI008
TransGlobal Communication Enterprises, Inc.	TI310
International Telnet, Inc.	TI377
Discount Network Services, Inc.	TI405
Latin American Enterprises, Inc.	TI410
New Century Telecom, Inc.	TI427
Trans National Communications International, Inc.	TI533
Legacy Long Distance International, Inc.	TJ009
Network Telephone Corporation	TJ119
OpenTel Communications, Inc.	TJ307
Freedom Starr Communications, Inc. d/b/a iphonebill.com d/b/a AmericanFone d/b/a Planet Earth Communications d/b/a QueerFone	TJ345
Ronam International, Inc.	TJ370
DV2, Inc.	TJ377
TeleCents Communications, Inc.	TJ388
United Communications HUB, Inc.	TJ426
Pacific Centrex Services, Inc.	TJ482
Oronoco Networks, Inc.	TJ490
Telmex USA, L.L.C.	TJ501
TVC Telecom Incorporated	TJ515

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<u>ENTITY'S NAME</u>	<u>CO. CODE</u>
ITI Inmate Telephone, Inc.	TJ560
Astrocom Corporation	TJ605
Easton Telecom Services, L.L.C.	TJ623
ECI Communications Inc. d/b/a ITS Network Services Inc.	TJ630
Touch-Tel USA, LLC	TJ638
Telliss, LLC	TJ655
San Juan International, Inc. d/b/a Chance Telecom	TJ666
Winstar Communications, LLC	TJ685
AllCom USA, Inc.	TJ698
Premier Telecom, Inc.	TJ706
Buzz Telecom Corporation	TJ718
The Gulas Group, L.L.C.	TJ744
MGEN Services Corp.	TJ782
California Advanced Tel, Inc. d/b/a ATI	TJ796
Baldwin County Internet/DSSI Service, L.L.C.	TJ797
Red River Networks LLC	TJ808
Telecom Argentina USA, Inc.	TJ817
Dial-Around Telecom, Inc.	TJ818
R2C Communications, Inc.	TJ819
Home Town Telephone, LLC	TJ820
Integrated Telecommunications, Inc.	TJ822

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ENTITY'S NAME	CO. CODE
Teledata Solutions, Inc. d/b/a TDSI, Inc.	TJ872
TeleHispanic Services, Inc.	TJ875
One World Telecom, Inc.	TJ876
Spirit Telecommunications, Inc.	TJ879
VOIP Corp	TJ885
Costamar Travel Cruise & Tours, Inc.	TJ889
Embratel Americas, Inc.	TJ894
Telepacket, Inc.	TJ898
K. Kessler Inc.	TJ899
DialEZ Inc.	TJ901
Intra Global Communications, Inc.	TJ910
Dollar Phone Corp. d/b/a DPC	TJ923
Straightel, Inc.	TJ930
TeleLink Communications Corp	TJ947
Crystal Link Communications, Inc.	TJ960
Gestatio, Inc.	TJ962
Mark Nichols d/b/a Telphonic	TJ964
Logicatel, LLC d/b/a HablaCuba	TJ967
STS Connect, Inc. d/b/a Star Telecommunication Services	TJ978
INVOIP LLC	TJ981
EFFECTEL CORP	TJ982

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ENTITY'S NAME	CO. CODE
Vistalmar International, Inc. d/b/a Trademark Corp.	TJ995
Affordable Phone Services, Inc. d/b/a High Tech Communications	TK002
ezTel Network Service, LLC	TK004
Worldwide Telecommunications Inc. d/b/a WTI Telecom Inc.	TK005
Fonix Telecom, Inc.	TK006
StarVox Communications, Inc.	TK017
Pac-West Telecomm, Inc.	TK020
Aero Communications, LLC	TK021
BluLines Telecom, LLC	TK031
AmeriVon LLC	TK033
Datora Americas, LLC	TK035
Erskine R. Curry d/b/a Media & Telecom Ventures	TK039
Encartele, Inc.	TK044
General Resource Telecommunications, Inc. d/b/a GRT Telecom	TK047

Accordingly, we hereby find it appropriate to cancel each entity's IXC tariff and registration 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 any past due Regulatory Assessment Fees, along with accrued statutory late payment charges, to the Florida Public Service Commission.

If this Order is not protested, each entity's respective IXC tariff and registration shall be cancelled. If an entity pays the penalty and cost of collection, together totaling \$500, and remits any past due Regulatory Assessment Fees, along with accrued statutory late payment charges,

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prior to the expiration of the Proposed Agency Action Order, then that entity's respective IXC tariff and registration will remain active. If an entity fails to protest the Order or pay the penalty and cost of collection, together totaling \$500, and fails to remit any past due Regulatory Assessment Fees, along with accrued statutory late payment charges, prior to the expiration of the Proposed Agency Action Order, then that entity's IXC tariff and registration should be cancelled administratively, and the collection of the past due Regulatory Assessment Fees should be referred to the Florida Department of Financial Services for further collection efforts. If an entity's IXC tariff and registration are cancelled in accordance with this Commission's Order, that company should be required to immediately cease and desist providing intrastate interexchange service in Florida. This docket should be closed administratively either upon receipt of the payment of the penalty and cost of collection, together totaling \$500, and any past due Regulatory Assessment Fees, along with accrued statutory late payment charges from each entity, or upon cancellation of that entity's IXC tariff and registration. If an entity's IXC tariff and registration are cancelled in accordance with this Order and it subsequently decides to reapply for a registration as an intrastate interexchange company, that entity shall be required to first pay the penalty and cost of collection, together totaling \$500 and any outstanding fees, including accrued statutory late payment charges. We are vested with jurisdiction over these matters pursuant to Sections 350.113, 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 any 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, by the end of the protest period. 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 Regulatory Assessment Fees, in the Florida Public Service Regulatory Trust Fund, pursuant to Section 350.113, Florida Statutes. The statutory late payment charges 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 and registration shall be cancelled. It is further

ORDERED that the cancellation of the tariff and registration 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 and registration cancelled, 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,

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shall be referred to the Florida Department of Financial Services for further collection efforts. It is further

ORDERED that if an entity's tariff and registration are cancelled 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, this docket 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, from each entity or upon cancellation of that entity's DXC tariff and registration.

By ORDER of the Florida Public Service Commission this 20th day of July, 2006.

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

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(SEAL)

VSM

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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 August 10, 2006.

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.

From: Origin ID: (305)715-9920
Gestatio, Inc.

7999 NW 53 Street

Doral, FL 33166



CL585296/17/22

Ship Date: 08AUG06
ActWgt: 1 LB
System#: 3943585/INET2500
Account#: S *****

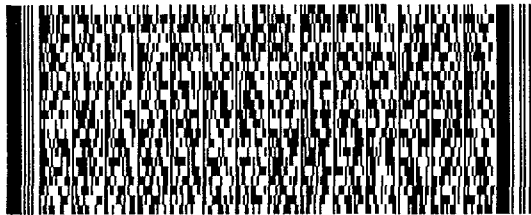
REF:



Delivery Address Bar Code

SHIP TO: (850)413-6770 **BILL SENDER**
DIRECTOR DIVISION OF THE COMMISSION
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd.

Tallahassee, FL 32399



STANDARD OVERNIGHT

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TRK# 7910 7885 1840

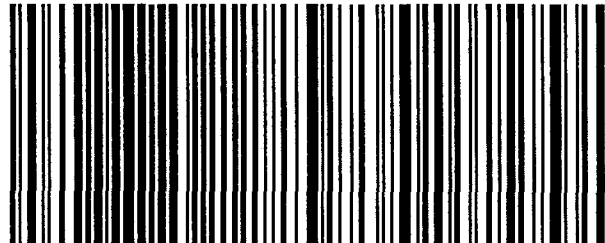
FORM
0201

Deliver By:
09AUG06

TLH A2

32399 -FL-US

XH TLHA



Shipping Label: Your shipment is complete

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