

686007172007

ORIGINAL

RECEIVED-FPSC

06 OCT 16 PM 3:15

ITEM NO.

CASE

6** **Docket No. 050965-TX** - Compliance investigation of Benchmark Communications, LLC d/b/a Com One for apparent violation of Section 364.183(1), Access to Company Records.

Critical Date(s): None

Commissioners Assigned: All Commissioners
Prehearing Officer: Administrative

Staff: CMP: Watts
GCL: Tan, Wiggins

OK # 2025
OK @ 3,500.00 fine
10-12-06
RT

Issue 1: Should the Commission accept Benchmark Communications, LLC d/b/a Com One's proposal to voluntarily contribute \$3,500 to the Commission to resolve its apparent violation of Section 364.183(1), Florida Statutes?

Recommendation: Yes. The Commission should accept the company's settlement offer.

Issue 2: Should this docket be closed?

Recommendation: If the Commission approves staff's recommendation on Issue 1, the docket should be closed administratively upon receipt of the \$3,500 contribution. The contribution, made payable to the Florida Public Service Commission, should be received by the Commission by November 10, 2006, and should identify the docket number and company name. The Commission should forward the contribution to the Florida Department of Financial Services for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the Commission's Order, Certificate No. 8568 should be cancelled administratively. If the company's certificate is cancelled in accordance with the Commission's Order from this recommendation, it should be required to immediately cease and desist providing competitive local exchange telecommunications service in Florida.

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC 1
- OTH _____

DISTRIBUTION CENTER
06 OCT 16 AM 8:12

DOCUMENT NUMBER-DATE

09557 OCT 16 g

Raquel Tully

From: Paula Isler
Sent: Monday, October 16, 2006 2:42 PM
To: Raquel Tully
Cc: Melinda Watts; Lee Eng Tan; Ray Kennedy
Subject: RE: Benchmark Communications, LLC d/b/a Com One (TX827)

This is a settlement. Deposit all in the General Revenue Fund and provide Records proof of payment for Docket No. 050965-TX. Thanks.

From: Raquel Tully
Sent: Monday, October 16, 2006 2:36 PM
To: Paula Isler
Subject:

We received a ck from Benchmark Communications for \$3500.00, Docket 050965. Please tell me how you would like to Deposit this