

ORIGINAL

STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199
DEC - 8 AM 9:35

COMMISSION
CLERK

Public Service Commission

December 8, 2006

Mr. Scott Boyd, Executive Director
Joint Administrative Procedures
Committee
Room 120 Holland Building
Tallahassee, FL 32399-1300

RE: Docket No. 060668-TP – Proposed Amendment of Rule 25-4.0161, F.A.C.,
Regulatory Assessment Fees; Telecommunications Companies

Dear Mr. Boyd:

Enclosed are the following forms/materials concerning the above referenced proposed rule:

1. A copy of the rule and the forms incorporated by reference into the rule.
2. A copy of the F.A.W. notice.
3. A statement of facts and circumstances justifying the proposed rule.
4. A federal standards statement.
5. A statement of estimated regulatory costs.

If there are any questions with respect to this rule, please do not hesitate to call

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

me.

Sincerely,

Christiana T. Moore
Associate General Counsel

Enclosures

cc: Division of the Commission Clerk
and Administrative Services

060668 JAPCletter.ctm.doc

DOCUMENT NUMBER - DATE

11245 DEC-8 8

FPSC-COMMISSION CLERK

1 **25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.**

2 (1) As applicable and as provided in Sections 350.113, 364.02(13) and 364.336, F.S.,
3 each company shall remit a fee based upon its gross operating revenue as provided below.
4 This fee shall be referred to as a regulatory assessment fee, and each company shall pay a
5 regulatory assessment fee in the amount of 0.0020 of its gross operating revenues derived
6 from intrastate business. For the purpose of determining this fee, each telecommunications
7 company shall deduct from gross operating revenues any amount paid to another
8 telecommunications company for the use of any telecommunications network to provide
9 service to its customers. Regardless of the gross operating revenue of a company, a minimum
10 annual regulatory assessment fee ~~of \$50~~ shall be imposed as follows:

- 11 (a) Local Exchange Company - \$1,000;
- 12 (b) Pay Telephone Service Provider - \$100;
- 13 (c) Shared Tenant Service Provider - \$100;
- 14 (d) Interexchange Company - \$700;
- 15 (e) Alternative Access Vendor - \$600;
- 16 (f) Competitive Local Exchange Company - \$600.

17 (2) Telecommunications companies that owed gross regulatory assessment fees of
18 \$10,000 or more for the preceding calendar year shall pay the fee and remit the appropriate
19 form twice a year. The regulatory assessment fee and appropriate form shall be filed no later
20 than July 30 for the preceding period of January 1 through June 30, and no later than January
21 30 of the following year for the period of July 1 through December 31. Telecommunications
22 companies that owed gross regulatory assessment fees of less than \$10,000 for the preceding
23 calendar year shall pay the fee and remit the appropriate form once a year. The regulatory
24 assessment fee and appropriate form shall be filed no later than January 30 of the subsequent

25 CODING: Words underlined are additions; words in ~~struck through~~ type are deletions
 from existing law.

1 year for the current calendar year operations.

2 (3) If the due date falls on a Saturday, Sunday, or legal holiday, the due date is
3 extended to the next business day. If the fees are sent by registered mail, the date of the
4 registration is the United States Postal Service's postmark date. If the fees are sent by certified
5 mail and the receipt is postmarked by a postal employee, the date on the receipt is the United
6 States Postal Service's postmark date. The postmarked certified mail receipt is evidence that
7 the fees were delivered. Regulatory assessment fees are considered paid on the date they are
8 postmarked by the United States Postal Service or received and logged in by the
9 Commission's Division of the Commission Clerk and Administrative Services in Tallahassee.
10 Fees are considered timely paid if properly addressed, with sufficient postage, and postmarked
11 no later than the due date.

12 (4) Commission Form PSC/CMP 25 (xx/xx01/05), entitled "Local Exchange Company
13 Regulatory Assessment Fee Return"; Form PSC/CMP 26 (xx/xx01/05), entitled "Pay
14 Telephone Service Provider Regulatory Assessment Fee Return"; Form PSC/CMP 34
15 (xx/xx01/05), entitled "Shared Tenant Service Provider Regulatory Assessment Fee Return";
16 Form PSC/CMP 153 (xx/xx01/05), entitled "Interexchange Company Regulatory Assessment
17 Fee Return"; Form PSC/CMP 1 (xx/xx01/05), entitled "Alternative Access Vendor Regulatory
18 Assessment Fee Return"; and Form PSC/CMP 7 (xx/xx01/05), entitled "Competitive Local
19 Exchange Company Regulatory Assessment Fee Return" are incorporated into this rule by
20 reference and may be obtained from the Commission's Division of the Commission Clerk and
21 Administrative Services.

22 (5) Each telecommunications company shall have up to and including the due date in
23 which to submit the applicable form and:

24 (a) Remit the total amount of its fee, or

25 CODING: Words underlined are additions; words in ~~struck through~~ type are deletions
from existing law.

1 (b) Remit an amount which the company estimates is its full fee.

2 (6) Where the company remits less than its full fee, the remainder of the full fee shall
3 be due on or before the 30th day from the due date and shall, where the amount remitted was
4 less than 90 percent of the total regulatory assessment fee, include interest as provided by
5 paragraph (8)(b) of this rule.

6 (7) A company may request from the Division of the Commission Clerk and
7 Administrative Services a 30-day extension of its due date for payment of regulatory
8 assessment fees or for filing its return form.

9 (a) The request for extension must be submitted on Form PSC/CCA 124 (01/05) and
10 will be granted if the company has applied for the extension within the time required in
11 paragraph (b) below and the company does not have any unpaid regulatory assessment fees,
12 penalties or interest due from a prior year. Form PSC/CCA 124 (01/05), entitled "Regulatory
13 Assessment Fee Extension Request" is incorporated into this rule by reference and may be
14 obtained from the Commission's Division of the Commission Clerk and Administrative
15 Services.

16 (b) The request for extension must be received by the Division of the Commission
17 Clerk and Administrative Services at least two weeks before the due date.

18 (c) Where a telecommunications company receives an extension of its due date
19 pursuant to this rule, the telecommunications company shall remit a charge in addition to the
20 regulatory assessment fees, as set out in Section 350.113(5), F.S.

21 (d) The return forms may be obtained from the Commission's Division of the
22 Commission Clerk and Administrative Services. The failure of a telecommunications
23 company to receive a return form shall not excuse the company from its obligation to timely
24 remit the regulatory assessment fees.

25 CODING: Words underlined are additions; words in ~~struck-through~~ type are deletions
from existing law.

1 (8) The delinquency of any amount due to the Commission from the
2 telecommunications company pursuant to the provisions of Section 350.113, F.S., and this
3 rule, begins with the first calendar day after any date established as the due date either by
4 operation of this rule or by an extension pursuant to this rule.

5 (a) A penalty, as set out in Section 350.113, F.S., shall apply to any such delinquent
6 amounts.

7 (b) Interest at the rate of 12 percent per annum shall apply to any such delinquent
8 amounts.

9 (9) The Division of the Commission Clerk and Administrative Services shall send by
10 certified mail a regulatory assessment fee delinquency notice to any company that fails to file
11 a regulatory assessment fee return and that fails to pay the regulatory assessment fee by the
12 date specified in subsection (2), unless the company has met the requirements of subsections
13 (6) and (7).

14 (10) If a company fails to pay the regulatory assessment fee within 15 days after
15 receiving a delinquency notice, the Division of the Commission Clerk and Administrative
16 Services, in cooperation with the Division of Competitive Markets and Enforcement and the
17 Office of General Counsel, will establish a docket and administratively issue a Notice of
18 Proposed Agency Action Order Imposing Penalties and Collection Costs, and Requiring
19 Payment of Delinquent Regulatory Assessment Fees, or Cancelling Certificates or Removing
20 From the Register for Violation of Rule 25-4.0161, F.A.C., and Section 364.336, F.S. The
21 company must pay the past due regulatory assessment fees, the penalty and interest for late
22 payment as provided in Section 350.113, F.S., and as stated in subsection (8) above, and must
23 also pay the applicable penalty stated in subsection (11) for failure to file the regulatory
24 assessment fee return.

25 CODING: Words underlined are additions; words in ~~struck through~~ type are deletions
from existing law.

1 (11) Pursuant to Section 364.285, F.S., the Commission has the authority to impose a
2 penalty or cancel a certificate or registration if a company refuses to comply with Commission
3 rules, orders, or Florida Statutes. The penalty, which will include collection costs, for failure
4 to file the regulatory assessment fee return by the date stated in the delinquency notice shall be
5 as follows:

6 (a) First violation – \$500;

7 (b) Second violation – \$1,000;

8 (c) Third violation – \$2,000.

9 Failure of the company to pay the full amount due and stated in the Notice of Proposed
10 Agency Action will result in the cancellation of the company's Certificate of Public
11 Convenience and Necessity, or will result in the cancellation of the company's tariff and
12 removal of its name from the Commission's register, whichever is applicable.

13 (12) For a company's fourth failure to pay the regulatory assessment fee after being
14 sent a delinquency notice, Commission staff shall file a recommendation to the Commission
15 for further action.

16 (13) A company that reapplies for a Certificate of Public Convenience and Necessity,
17 or refiles for registration, must pay all prior unpaid regulatory assessment fees, plus the
18 penalty and interest defined in subsection (8), and any prior unpaid penalty assessed in
19 accordance with subsection (10).

20 Specific Authority 350.127(2) FS.

21 Law Implemented 350.113, 364.285, 364.336 FS.

22 History–New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-
23 26-95, 7-7-96, 11-11-99, 12-7-04, 10-6-05.

24
25 CODING: Words underlined are additions; words in ~~struck-through~~ type are deletions
from existing law.

Local Exchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY

Check # _____

\$ _____ 06-03-001
003001

\$ _____ E

\$ _____ P 06-03-001
004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

STATUS:

- Actual Return
 Estimated Return
 Amended Return

PERIOD COVERED:

(Name of Company)

(Address)

(City/State)

(Zip)

LOCAL SERVICES REVENUES

	Total	Intrastate		Total	Intrastate
1. Basic area revenues (5001)	\$ _____	\$ _____	24. Long distance private network switching revenues (5126)	_____	_____
2. Optional extended area revenues (5002)	_____	_____	25. Other long distance private network revenues (5128)	_____	_____
3. Cellular mobile revenues (5003)	_____	_____	26. Other long distance private network settlements (5129)	_____	_____
4. Other mobile services revenues (5004)	_____	_____	27. Other long distance revenues (5160)	_____	_____
5. Public telephone revenues (5010)	_____	_____	28. Other long distance revenues settlements (5169)	_____	_____
6. Local private line revenues (5040)	_____	_____	29. Total Long Distance Revenues	_____	_____
7. Customer premises revenues (5050)	_____	_____	(Add Lines 16 through 28)	\$ _____	\$ _____
8. Other local exchange revenues (5060)	_____	_____			
9. Other local exchange revenues settlements (5069)	_____	_____			
10. Total Local Services Revenues	\$ _____	\$ _____			
(Add Lines 1 through 9)					

MISCELLANEOUS REVENUES

NETWORK ACCESS SERVICES REVENUES

11. End user revenues (5081)	_____	_____	30. Directory revenues (gross billing) (5230)	_____	_____
12. Switched access revenues (5082)	_____	_____	31. Rent revenues (gross billings) (5240)	_____	_____
13. Special access revenues (5083)	_____	_____	32. Corporate operation revenues (5250)	_____	_____
14. State access revenues (5084)	_____	_____	33. Special billing arrangement revenues (5261)	_____	_____
15. Total Access Services Revenues	_____	_____	34. Customer operations revenues (5262)	_____	_____
(Add Lines 11 through 14)	\$ _____	\$ _____	35. Plant operation revenues (5263)	_____	_____

LONG DISTANCE NETWORK SERVICES REVENUES

16. Long distance message revenues (5100)	_____	_____	36. Other incidental regulated revenues (5264)	_____	_____
17. Long distance inward-only revenues (5111)	_____	_____	37. Other revenues settlements (5269)	_____	_____
18. Long distance outward-only revenues (5112)	_____	_____	38. Carrier billing & collection revenues (5270)	_____	_____
19. Subvoice grade long distance private network revenues (5121)	_____	_____	39. Total Miscellaneous Revenues	\$ _____	\$ _____
20. Voice grade long distance private network revenues (5122)	_____	_____	(Add Lines 30 through 38)		
21. Audio program grade long distance private network revenues (5123)	_____	_____	40. TOTAL GROSS REVENUES FEE	\$ _____	\$ _____
22. Video program grade long distance private network revenues (5124)	_____	_____	(Add Lines 10, 15, 29, and 39)		
23. Digital transmission grade long distance private network revenues (5125)	_____	_____	41. Less: Amounts Paid to Other Telecommunications Companies ⁽¹⁾	_____	_____
			42. NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 40 less Line 41)	_____	\$ _____
			43. REGULATORY ASSESSMENT FEE DUE	_____	_____
			(Multiply Line 42 by 0.0020)		
			44. Less: Payments made for June 30 period, if any	_____	(_____)
			45. NET REGULATORY ASSESSMENT FEE DUE	_____	\$ _____
			46. Penalty for late payment (see "3. Failure to File by Due Date" on back)	_____	_____
			47. Interest for late payment (see "3. Failure to File by Due Date" on back)	_____	_____
			48. Extension Payment Fee (see "4. Extension" on back)	_____	_____
			49. TOTAL AMOUNT DUE (MINIMUM \$1000 \$50.00)	\$ _____	(2)

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$1000 \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official duty shall be guilty of a misdemeanor of the second degree.

(Signature of Company Official)

(Title)

(Date)

(Preparer of Form - Please Print Name)

Telephone Number () _____

Fax Number () _____

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION

Instructions For Filing Regulatory Assessment Fee Return
(Local Exchange Company)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business. Gross Operating Revenues are defined as the total revenues before expenses. **Annual revenue amounts are to be reported on the return for the period ended December 31.**

On Line 41, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. **Do not deduct** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 46). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 47). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA 124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 48):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY	
Check # _____	
\$ _____	06-03-001 003001
\$ _____ E	
\$ _____ P	06-03-001 004011
\$ _____ I	
Postmark Date _____	
Initials of Preparer _____	

 (Name of Company) (Address) (City/State) (Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	\$ _____
2.	Gross Intrastate Revenue	_____
3.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾ (see "2. Fees" on back)	(_____)
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	\$ _____
5.	Regulatory Assessment Fee Due - (Multiply Line 4 by 0.0020)	_____
6.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____
7.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____
8.	Extension Payment Fee (see "4. Extension" on back)	_____
9.	TOTAL AMOUNT DUE (MINIMUM \$100 \$50.00)	\$ _____ ⁽²⁾
10.	Number of pay telephones in operation at close of period covered by this Return	_____

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).
 (2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$100 \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official duty shall be guilty of a misdemeanor of the second degree.

 (Signature of Company Official) (Title) (Date)

 (Preparer of Form - Please Print Name) Telephone Number () Fax Number ()

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION

Instructions For Filing Regulatory Assessment Fee Return
(Pay Telephone Service Provider)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, *AND*

On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts other than the amount on Line 3.

On Line 3, deduct any amounts paid to another telecommunications company for the use of any telecommunications network (including installation charges) to provide service to its customers. ***Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals.*** **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 6). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 7). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/ CCA 124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 8):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your records, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

Shared-Tenant Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY	
Check # _____	
\$ _____	06-03-001 003001
\$ _____ E	
\$ _____ P	06-03-001 004011
\$ _____ I	
Postmark Date _____	
Initials of Preparer _____	

(Name of Company)	(Address)	(City/State)	(Zip)
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LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Intrastate Operating Revenue	\$ _____
2.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾ (see "2. Fees" on back)	_____
3.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation <i>(Line 1 less Line 2)</i>	\$ _____
4.	Regulatory Assessment Fee Due <i>(Multiply Line 3 by 0.0020)</i>	_____
5.	Penalty For Late Payment (see "3. Failure to File by Due Date" on back)	_____
6.	Interest For Late Payment (see "3. Failure to File by Due Date" on back)	_____
7.	<u>Extension Payment Fee</u> (see "4. Extension" on back)	_____
8.	TOTAL AMOUNT DUE (MINIMUM \$100 \$50.00)	\$ _____ ⁽²⁾

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).
 (2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$100 ~~\$50~~ shall be imposed as provided in Section 364.336, Florida Statutes.

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 official duty shall be guilty of a misdemeanor of the second degree.

(Signature of Company Official)	(Title)	(Date)
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(Preparer of Form - Please Print Name)	Telephone Number () _____	Fax Number () _____
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F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION

Instructions For Filing Regulatory Assessment Fee Return
(Shared-Tenant Service Provider)

1. **WHEN TO FILE:** For companies which owed a total of \$10,000 or more of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, *AND*
On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 2, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. ***Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals.*** **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 5). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 6). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/ CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 7):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your file, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the enclosed envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

Interexchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
 Estimated Return
 Amended Return

PERIOD COVERED:

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY

Check # _____

\$ _____ 06-03-001
003001

\$ _____ E

\$ _____ P 06-03-001
004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

(Name of Company)

(Address)

(City/State)

(Zip)

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.	TOTAL Telephone Services	\$ _____	\$ _____
7.	LESS: Amounts Paid to Telecommunications Companies ⁽¹⁾	(_____)	(_____)
8.	TOTAL REVENUES For Regulatory Assessment Fee Calculation		\$ _____
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0020)		_____
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.	Extension Payment Fee (see "4. Extension" on back)		_____
13.	TOTAL AMOUNT DUE (\$700 \$50 MINIMUM)		\$ _____ ⁽²⁾

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$700 \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

CURRENT COMPANY STATUS

- Facilities-Based Carrier Reseller Call Aggregator
 Alternate-Operator Service Rebiller Other: _____

BILLING INFORMATION

Complete below if billing agent is other than yourself.

_____ (Name) _____ (Address: City/State/Zip) _____ (Telephone)

What is the total amount of customer deposits collected? Amount: \$ _____ for 20 _____

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)

(Preparer of Form - Please Print Name)

Telephone Number () _____

Fax Number () _____

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION

Instructions For Filing Regulatory Assessment Fee Return (Interexchange Company)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts other than the amount in Line 7.

On Line 7, deduct any amounts paid to a telecommunications company for the use of any telecommunications network to provide service to its customers. ***Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals.*** **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 10). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 11). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or remove the company from the list of companies registered to provide service. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA 124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 12):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

Alternative Access Vendor Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY		
Check # _____		
\$ _____	06-03-001	
	003001	
\$ _____	E	
\$ _____	P	06-03-001
\$ _____	I	004011
Postmark Date _____		
Initials of Preparer _____		

 (Name of Company) (Address) (City/State) (Zip)

LINE NO.	WIDE AREA TOLL SERVICES	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Special Access Services	\$ _____	\$ _____
2.	Private Line Services	_____	_____
3.	Leased Facilities & Circuits Services	_____	_____
4.	Miscellaneous Services	_____	_____
5.	TOTAL REVENUES		\$ _____
6.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾		_____
7.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 5 less Line 6)		\$ _____
8.	Regulatory Assessment Fee Due (Multiply Line 7 by 0.0020)		_____
9.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		_____
10.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		_____
11.	Extension Payment Fee (see "4. Extension" on back)		_____
12.	TOTAL AMOUNT DUE (\$600 \$50 MINIMUM)		\$ _____ ⁽²⁾

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$600 \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official duty shall be guilty of a misdemeanor of the second degree.

 (Signature of Company Official) (Title) (Date)

 Telephone Number () Fax Number ()

(Preparer of Form - Please Print Name)

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION

Instructions For Filing Regulatory Assessment Fee Return (Alternative Access Vendor)

1. **WHEN TO FILE:** For companies which owed a total of \$10,000 or more of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 6, deduct any amounts paid to a telecommunications company for the use of any telecommunications network to provide service to its customers. **Do not deduct** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 9). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 10). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA 124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 11):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your records, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

Competitive Local Exchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
 Estimated Return
 Amended Return

PERIOD COVERED:

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY

Check # _____

\$ _____ 06-03-001
003001

\$ _____ E

\$ _____ P 06-03-001
004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ _____	\$ _____
2.	Long Distance Services (IntraLATA only) ⁽¹⁾	_____	_____
3.	Access Services	_____	_____
4.	Private Line Services	_____	_____
5.	Leased Facilities & Circuits Services	_____	_____
6.	Miscellaneous Services	_____	_____
7.	TOTAL REVENUES		\$ _____
8.	LESS: Amounts Paid to Other Telecommunications Companies ⁽²⁾		_____
9.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		\$ _____
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0020)		_____
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		_____
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		_____
13.	Extension Payment Fee (see "4. Extension" on back)		_____
14.	TOTAL AMOUNT DUE (\$600 \$50 MINIMUM)		\$ _____ ⁽³⁾

- (1) Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.
- (2) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).
- (3) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$600 \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

CURRENT COMPANY STATUS

- Facilities-Based Provider Reseller
 Other: _____

BILLING INFORMATION

Complete below if billing agent is other than yourself.

_____ (Name) _____ (Address: City/State/Zip) _____ (Telephone)

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 official duty shall be guilty of a misdemeanor of the second degree.

_____ (Signature of Company Official) _____ (Title) _____ (Date)
 _____ (Preparer of Form - Please Print Name) Telephone Number _____ () _____ Fax Number _____ ()

FLORIDA PUBLIC SERVICE COMMISSION

Instructions For Filing Regulatory Assessment Fee Return
(Competitive Local Exchange Company)

1. **WHEN TO FILE:** For companies which owed a total of \$10,000 or more of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, and
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of less than \$10,000 of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, when July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee Return may be filed or postmarked on the next business day, without penalty or interest.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 8, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. ***Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals.*** **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 11). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 12). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA 124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 13):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the enclosed envelope, please address your remittance as follows:

<p>Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services</p>
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7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060668-TP

RULE TITLE:

RULE NO.:

Regulatory Assessment Fees; Telecommunications Companies

25-4.0161

PURPOSE AND EFFECT: To state the new minimum annual Regulatory Assessment Fees that telecommunications companies pay the Commission.

SUMMARY: Amended Rule 25-4.0161 defines new minimum annual regulatory assessment fees (RAF) companies must pay the Commission, regardless of their gross operating revenues and Commission RAF forms are changed to reflect the new minimum RAFs applicable to a specific company type.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The rule changes will increase the annual amount some companies must pay the Commission.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 350.113, 364.285, 364.336 FS

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE THESE PROPOSED RULE IS:

Christiana T. Moore, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6098.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.

(1) As applicable and as provided in Sections 350.113, 364.02(13) and 364.336, F.S., each company shall remit a fee based upon its gross operating revenue as provided below. This fee shall be referred to as a regulatory assessment fee, and each company shall pay a regulatory assessment fee in the amount of 0.0020 of its gross operating revenues derived from intrastate business. For the purpose of determining this fee, each telecommunications company shall deduct from gross operating revenues any amount paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as follows:

(a) Local Exchange Company - \$1,000;

(b) Pay Telephone Service Provider - \$100;

(c) Shared Tenant Service Provider - \$100;

(d) Interexchange Company - \$700;

(e) Alternative Access Vendor - \$600;

(f) Competitive Local Exchange Company - \$600.

(2) – (3) No change

(4) Commission Form PSC/CMP 25 (xx/xx04/05), entitled “Local Exchange Company

Regulatory Assessment Fee Return”; Form PSC/CMP 26 (xx/xx01/05), entitled “Pay Telephone Service Provider Regulatory Assessment Fee Return”; Form PSC/CMP 34 (xx/xx01/05), entitled “Shared Tenant Service Provider Regulatory Assessment Fee Return”; Form PSC/CMP 153 (xx/xx01/05), entitled “Interexchange Company Regulatory Assessment Fee Return”; Form PSC/CMP 1 (xx/xx01/05), entitled “Alternative Access Vendor Regulatory Assessment Fee Return”; and Form PSC/CMP 7 (xx/xx01/05), entitled “Competitive Local Exchange Company Regulatory Assessment Fee Return” are incorporated into this rule by reference and may be obtained from the Commission’s Division of the Commission Clerk and Administrative Services.

(5) – (13) No change.

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 364.285, 364.336 FS.

History–New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-26-95, 7-7-96, 11-11-99, 12-7-04, 10-6-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Mailhot

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: December 5, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 32, Number 42, October 20, 2006

STATEMENT OF FACTS AND CIRCUMSTANCES
JUSTIFYING RULE

The Florida Legislature amended Section 364.336, F.S., whereby the minimum annual RAF, as defined by rule, shall be assessed in an amount of up to \$1,000. The minimum annual RAF amount may vary depending upon the type of service provided by the telecommunications company. The Commission is increasing the minimum fees to recover some of the basic, ongoing annual costs of regulating telecommunication companies and more equitably spread the costs of regulation among the types of companies causing the costs.

STATEMENT ON FEDERAL STANDARDS

There is no federal standard on the same subject.



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 17, 2006
TO: Christiana T. Moore, Office of the General Counsel
FROM: Billy R. Dickens, Division of Economic Regulation *BRO [Signature]*
RE: Statement of Estimated Regulatory Costs for Proposed Rule Amendment 25-4.0161

SUMMARY OF THE PROPOSED AMENDED RULE

Rule 25-4.0161(1) establishes the minimum annual regulatory assessment fees telecommunications companies must pay to the Florida Public Service Commission in order to operate in Florida. Regardless of the gross operating revenue of a company, a minimum regulatory assessment fee of \$50 is imposed.

The proposed Amendment to Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, defines new minimum annual regulatory assessment fees (RAF) companies must pay the Commission, regardless of the gross operating revenues of the companies. Commission forms, Form PSC/CMP 25, Form PSC/CMP 26, Form PSC/CMP 34, Form PSC/CMP 153, Form PSC/CMP 1, and Form PSC/CMP 7 are changed to reflect the new minimum RAFs applicable to a specific company type. The recommended new minimum RAFs are as follows: pay telephone companies (PATs) - \$100, shared tenant service providers (STS) - \$100, interexchange companies (IXCs) - \$700, competitive local exchange companies (CLECs) - \$600, incumbent local exchange companies (ILECs) - \$1,000 and alternative access vendors (AAVs) - \$600.

ESTIMATED NUMBER OF ENTITIES REQUIRED TO COMPLY

All telecommunications companies authorized to operate in Florida are expected to comply with the new minimum RAF requirements. As of September 25, 2006, there are 10 ILECs, 35 AAVs, 371 CLECs, 616 IXCs, 291 PATs and 31 STS that will be directly affected by the proposed rule amendment.

RULE IMPLEMENTATION, ENFORCEMENT COST AND IMPACT ON REVENUES FOR THE AGENCY AND OTHER STATE AND LOCAL GOVERNMENT ENTITIES

The new minimum RAF would impose aggregate cost increases for the regulated industry. Companies complying with the new minimum RAF would be required to pay new minimum RAF increases ranging from 100% - 1,900% above the old minimum RAF. Given the increase in the minimum RAF, some of the currently certificated holders would likely not renew their certificate. The Commission however would benefit from the new minimum RAFs. It is

estimated that the new minimum RAF would result in approximately \$513,000 in new revenue for the FPSC. Assuming all current companies retain their certifications and registrations active, the new revenue from the proposed new RAFs would be allocated to each subindustry as follows: (values are approximations)

- ILEC: \$0
- CLEC: \$135,000
- IXC: \$348,000
- PATS: \$15,000
- STS: \$1,000
- AAV: \$14,000

The amended rule would not create any additional cost to the FPSC. Because of the numerous subindustry companies, the amended rule should not impair or injure competitive outcomes in Florida's telecommunications market. There should be no negative cost or revenue impact for other state and local government entities unless they hold one of the subindustry certificates and currently pay the minimum RAF.

ESTIMATED TRANSACTIONAL COSTS TO INDIVIDUALS AND ENTITIES

The \$50 minimum RAF would increase for all telecommunications companies. The recommended minimum RAFs are as follows: PATS - \$100, STS - \$100, IXCs - \$700, CLECs - \$600, ILECs - \$1,000 and AAVs - \$600. In 2005, the following number of companies, by company type, paid RAF in an amount greater than the proposed new minimums: 9 AAVs, 39 CLECs, 79 IXCs, 54 PATS, and 3 STS. All ILECs paid in excess of the proposed new amount; hence, there is no cost impact for this subindustry group.

As a result of the amended rule, maintaining compensatory funding for the Commission benefits Florida consumers because the Commission would have the necessary resources to continue assisting citizens with their telecommunications issues. The prices that consumers would pay for the telecommunications services affected by the new minimum RAF may result in negligible or slight increases in those markets where the demand for telecommunication services is relatively price-inelastic.

IMPACT ON SMALL BUSINESSES, SMALL CITIES OR SMALL COUNTIES

The amended rule would have minimal impact on small businesses. If the small business is a customer of telecommunications services, it would face slight, but negligible price increases for telecommunications services caused by production costs being transferred to end-users. If the small business is a provider of telecommunications services, some companies, i... e. PATS or CLECs may no longer choose to be a market player and discontinue operations due to the higher minimum RAF.

Small counties and small cities who are buyers and sellers of telecommunication services may experience impacts similar to small businesses. There should be no negative impact on these municipal providers of telecommunication services.

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