

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 28, 2007
TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk
FROM: Paula Isler, Research Assistant, Division of Competitive Markets & Enforcement *Pif*
RE: Docket No. 070462-TI - Compliance investigation of IXC Registration No. TJ782, issued to MGEN Services Corp., for apparent second-time violation of Section 364.336, F.S.

On October 29, 2007, the Commission received a letter dated October 25, 2007, from Mr. Lance J.M. Steinhart, Attorney for MGEN Services Corp., requesting cancellation of MGEN's IXC registration. Since the company's registration had already been cancelled in Docket No. 070462-TI, a new docket was not established. Please document the October 25, 2007, letter from Mr. Steinhart and a copy of an e-mail from me to Mr. Steinhart in Case Management System in Docket No. 070462-TI. Thanks.

cc: Office of the General Counsel (McKay)
Attachment

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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October 25, 2007

VIA OVERNIGHT DELIVERY

Florida Public Service Commission
Competitive Markets and Enforcement
2540 Shumard Oak Blvd.
Gunter Bldg.
Tallahassee, Florida 32399-0850
(850) 413-6770

Re: MGEN Services Corp.
Reseller – Company Code: TJ782; Docket No. 03047-TI

To Whom It May Concern:

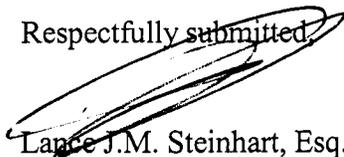
On behalf of the company, I hereby respectfully request to cancel MGEN Services Corp.'s (MGEN) certification as referenced above.

This request is based upon MGEN's determination that it no longer intends to provide telecommunications services in the State of Florida. Based upon the fact that MGEN currently has no customers, MGEN asserts that the voluntary discontinuance of its certification will have no adverse impact upon consumers.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to call me.

Respectfully submitted,


Lance J.M. Steinhart, Esq.
Attorney for MGEN Services Corp.

cc: Ingrid Galyan

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

07 OCT 29 11 09 AM
COMMUNICATIONS SECTION

Paula Isler

From: Paula Isler
Sent: Wednesday, November 28, 2007 9:18 AM
To: 'lsteinhart@telecomcounsel.com'
Subject: MGEN Services Corp. - TJ782

Good morning, Mr. Steinhart:

We received your October 25, 2007, letter requesting cancellation of MGEN's IXC registration. That company's registration was cancelled effective October 2, 2007, for violation of the Regulatory Assessment Fee (RAF) rule/statute in Docket No. 070462-TI.

Our records show that the 2006 RAF was due January 30, 2007. When payment was not received, a delinquent notice was mailed on February 20, 2007, via certified mail. The delinquent notice stated that payment of the fee and late payment charges had to be postmarked within 15 days of receipt of the notice to avoid an automatic fine of \$500 for a first offense, \$1,000 for a second offense, and \$2,000 for a third offense. Since MGEN had a prior offense, this meant MGEN would be automatically fined \$1,000 if it did not comply. The US Postal Service returned the certified receipt showing the delinquent notice was delivered on February 26, 2007. This meant that payment of the 2006 RAF and late payment charges had to be postmarked by March 13, 2007, to avoid the automatic \$1,000 fine. The company's minimum RAF payment was postmarked on March 19th. Docket No. 070462-TI was established on July 20th. The company's payment for the late payment charges was postmarked on August 28, 2007.

The Commission issued Order No. PSC-07-0696-PAA-TI on August 27, 2007, which imposed the \$1,000 fine and the company had until September 17, 2007, to pay the fine to keep its registration active or protest the order. On October 2, 2007, Order No. PSC-07-0799-CO-TI was issued, which consummated the proposed agency action order issued on August 27th. MGEN did not protest the order or pay the \$1,000 fine, therefore, its IXC registration was cancelled effective October 2, 2007.

Please let me know if you have any questions. Thanks.

Paula Isler
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