

Dorothy Menasco

From: Filings@psc.state.fl.us
Sent: Wednesday, May 27, 2009 4:36 PM
To: 'roig@general-computer.com'
Cc: Ruth Nettles; Paula Isler
Subject: FW: PSC electronic filing version 6
Attachments: petition of General Computer Services inc Doc 090220 TX signed 6 version.pdf

Ms. Roig:

Per our telephone earlier telephone conversation, the filing that we received at 4:29 p.m. has been accepted for filing.

As a heads-up, I will be sending 3 confirmations that we did not accept the filings received at 3:26, 3:50, and 4:17 p.m. due to problems with the official signature.

It was a pleasure speaking with you.

*Dorothy Menasco
Chief Deputy Commission Clerk
Florida Public Service Commission
Office of Commission Clerk
850-413-6770*

From: roig@general-computer.com [mailto:roig@general-computer.com]
Sent: Wednesday, May 27, 2009 4:29 PM
To: Filings@psc.state.fl.us
Subject: Re: PSC electronic filing version 6

Thanks

5/27/2009

DOCUMENT NUMBER-DATE

05265 MAY 27 8

FPSC-COMMISSION CLERK

Dorothy Menasco

From: roig@general-computer.com
Sent: Wednesday, May 27, 2009 4:29 PM
To: Filings@psc.state.fl.us
Subject: Re: PSC electronic filing version 6
Attachments: petition of General Computer Services inc Doc 090220 TX signed 6 version.pdf

Thanks



General Computer Services, Inc

1580 West ave # 303
Miami Beach FL 33139
Telephone (305) 673-3879
Fax (305) 687 1279
E-mail: roig@general-computer.com
www.general-computer.com



May 26, 2009

To: Ms. Ann Cole
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oaks Boulevard

Tallahassee FL 32399-0850

Re: Judicial Review Petition for Docking No. 090220-TX, Code: TX967 in reference of the fine of a fine of \$500 for delinquent regulatory assessment fees Competitive Local Exchange Company Certificate for Violation rule 25-.0161

Dear Ms. Cole:

Enclose for filing a petition for review in behalf of General Computer Services Inc. dba/ BeCruising Telecom

Copies are being served on the parties in this docket pursuant to the attached certificate of service.

If you have any questions regarding this electronic filing, please do not hesitate to call me at

786 326 9513 any time.

Sincerely,

s/ Graciela Roig
President
General Computer Services Inc.

CERTIFICATE OF SERVICE DOCKET NO. 090220-TX

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail this 26th day of May, 2009 to the following:

Staff Counsel
Florida Public Service Commission Division of
Legal Services 2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Ms. Ann Cole
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oaks Boulevard

Digitally signed by s:/Graciela Roig
DN: CN = s:/Graciela Roig, C = US, O = General
Computer Services Inc. dba/ BeCruising Telecom
Reason: I am the author of this document
Date: 2009.05.27 16:27:32 -0400

Graciela Roig, MS
President
General Computer Services Inc. dba/ BeCruising Telecom

For all your computer needs... since 1989.

DOCUMENT NUMBER-DATE

05265 MAY 27 8

www.general-computer.com

FPSC-COMMISSION CLERK



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

<p>In re: Petition for Judicial Review of the Notice of Proposed agency action order imposing penalties and collection costs and recurring payment of delinquent regulatory assessment fees</p> <p>Competitive Local Exchange Company</p> <p>Certificate for Violation rule 25-.0161</p>	<p>Docking No. : 090220-TX</p>
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(a) The name and address of each agency affected and each agency's file or identification number, if known;

Florida Public Service Commission
Commission Clerk
2540 Shumard Oaks Boulevard Tallahassee FL 32399-0850

(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

Petitioner's Name: Geneneral Computer Services Inc. dba/ BeCruising Telecom

Mailing Address: 1580 West ave # 303 Miami Beach FL 33139

Telephone: (786) 326-8513 or (305) 673-3879

Fax: (305) 687 1279

PETITION

This petition is based on the rule 28-106.201:

a) How the petitioner's substantial interests will be affected by the agency determination :

Geneneral Computer Services Inc. dba/ BeCruising Telecom will be affected paying this fee because we need all the resources we can have to finish the pending projects and keep going on the crisis we are inmerse here in Florida. We need the money to pay our employees.



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Our clients just, do not pay. Some condominiums owes about 6 month in telephone and internet services and we are trying to cope with all these problems and the lack of currency they have.

We are dedicated to the Information Technology and communications for condominiums industry in South Florida, our business is a small business that has been very affected by the realstate crisis and this is our first time filling in the Florida Public Commission as a CLEC.

We passed all the information to our CPA thinking that he will know all procedures pending after we were accepted as a CLEC, but he found late that we had to file the \$600 regulatory fee which we did it as soon as we could and we changed our address then it was a problem for communication too involve. We already notify to Florida Public Commission.

(c) A statement of when and how the petitioner received notice of the agency decision;

Our company was mailed a delinquent notice on February 20, 2009, and according to the USPS, it was delivered on February 23rd. to our old address. According to the delinquent notice, payment had to be made within 15 days after receiving the notice. This meant the last day to avoid the automatic fine was March 10th. Our company postmarked the \$600 minimum fee on March 23, 2009 and the payment for the \$72 late payment.

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

We changed our mailing address to 15 80 west ave # 303 Miami Beach FL 33139.

Then it took more time for us to receive the notice. We paid as soon as we received said notice.

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

1. We paid as soon as we received the notice and the penalty.
2. We change address and mail took more time to be received then we were few days late.

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.

Please review rule 25-4.0161 in our case to see if it is possible that they make an elimination of the



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fee of \$500 based of the facts presented by our company that we changed our mailing address and we received later the comunication. As soon as we received in the new address we sent the payment as a result it occure few days of the dateline date on March 23 instate of March 10 2009.

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

Please I would like your agency to consider our situation and dispence with the fee in consideration that is our first time filing and we did it only few days after dead line for penalty because the change of mailing address.

(3) Upon receipt of a petition involving disputed issues of material fact, the agency shall grant or deny the petition, and if granted shall, unless otherwise provided by law, refer the matter to the Division of Administrative Hearings with a request that an administrative law judge be assigned to conduct the hearing. The request shall be accompanied by a copy of the petition and a copy of the notice of agency action.

Specific Authority 120.54(3), (5) FS. Law Implemented 120.54(5), 120.569, 120.57 FS. History—New 4-1-97, Amended 9-17-98, 1-15-07.

s/ Graciela Roig.
President
General Computer Services Inc.