

State of Florida



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Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: June 11, 2009
TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk
FROM: Paula Isler, Research Assistant, Division of Regulatory Compliance *PI*
RE: Docket No. 090239-TC - Compliance investigation of PATS Certificate No. 7645, issued to DEBTEL Communications, Incorporated, for apparent first-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

On June 9, 2009, Ms. Deborah Forgione, President of DEBTEL Communications, Incorporated, called me and stated she had received the Consummating Order and advised that she had requested cancellation of her certificate in March. I advised Ms. Forgione that the letter had not been received. Since she wants her certificate cancelled and cannot pay the Regulatory Assessment Fees, she is going to let her certificate cancel in this docket. Ms. Forgione later faxed me a copy of her letter requesting cancellation dated March 3, 2009, along with a copy of two e-mails from me dated February 23 and March 5, 2009. Therefore, please document the letter and e-mail in Case Management System in Docket No. 090239-TC. Thanks.

Attachment

DOCUMENT NUMBER-DATE

05857 JUN 11 8

FPSC-COMMISSION CLERK

Paula Isler

From: Fax Server [FaxAdmins@psc.state.fl.us]
Sent: Tuesday, June 09, 2009 12:30 PM
To: Paula Isler
Subject: 561 994 9654 1013, FAX 2 page(s)

Attachments: FAX.TIF



FAX.TIF (72 KB)

You have received a new fax. This fax was received by Fax Server. The fax is attached to the message. Open the attachment to view your fax.

Received Fax Details

Received On: 6/9/2009 12:28:46 PM
Number of Pages: 2
From (CSID): 561 994 9654
From (ANI): 1013
Sent to DID: 6503

Duration of Fax: 0:01:01
Transfer Speed: 14400

Received Status: Success
Number of Errors: 0
Port Received On: IPF_PORT_0012

DOCUMENT NUMBER-DATE

1

05857 JUN 11 8

FPSC-COMMISSION CLERK

(850) 413-6503

Deborah A Forgione
3553 NW Clubside Circle
Boca Raton Florida , 33496
dforgione@bellsouth.net

Paula Isler
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

March 3rd 2009.

Dear Ms. Isler

I was the President of Debtel Communications Inc. which operated 2 payphones in the Miami -Dade area of Florida. Ref. # TG757-08-0-D These phones were inoperable in 2008 and my business was officially shut down approximately 6 months ago. I am requesting the cancellation of my payphone Certificate. I had every intention of paying the fees for 2008 and 2009 but since the business no longer exists I am unable to pay any fees. I respectfully request the cancellation of my Payphone Certificate.
Thank You for your Attention to this matter

Sincerely,



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05857 JUN 11 8
FPSC-COMMISSION CLERK

RE: TG757 - DEBTEL Communications, Incorporated - 'AT&T Yahoo! Mail'

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RE: TG757 - DEBTEL Communications, Incorporated

Thursday, March 5, 2009 3:12 PM

From: "Paula Isler" <PIsler@PSC.STATE.FL.US>

To: DForgione@bellsouth.net

Dear Ms. Forgione:

I just wanted to touch base with you again since it is getting close to the deadline for the automatic fines to be imposed. According to the USPS, the delinquent notice was delivered on February 23rd, which means your letter requesting cancellation of DEBTEL's payphone certificate must be postmarked by Tuesday, March 10, 2009. From our telephone conversation, I believe I understood that since the company no longer existed, it would be unable to pay the 2008 and 2009 Regulatory Assessment Fees. All you have to do is state that in the letter. Then, once we receive your letter requesting cancellation, a docket will be established to cancel the certificate on the PSC's own motion. And, so that you will have all the information needed to make an informed decision, any unpaid fees will be turned over to collections.

Please let me know if you have any questions.

Paula Isler

From: Paula Isler**Sent:** Monday, February 23, 2009 3:23 PM**To:** 'DForgione@bellsouth.net'**Subject:** TG757 - DEBTEL Communications, Incorporated

Dear Ms. Forgione:

This is a follow up to our telephone conversation. The Regulatory Assessment Fee (RAF) is owed (the minimum if a company had no revenues) if a certificate was active for any day during a calendar year. Certificates remain active until a company requests cancellation or until the Commission cancels a certificate on its own motion. This means that DEBTEL owes the 2008 and 2009 RAFs since we were not notified until now that the company has been out of business for six months. And, unfortunately, we cannot make a cancellation retroactive.

As information, there are two types of cancellation, one is voluntary, which is granted if a company leaves in good standing and does not owe any fees. The other is involuntary, which is when a certificate is cancelled on the Commission's own motion for violation of a rule, order, or statute. Either way, the company needs to write us a letter requesting cancellation of its payphone certificate and should include its intent on payment of the 2008 and 2009 fees. Even if the company is unable to pay the fees, it needs to state that in the letter.

As soon as we receive a letter requesting cancellation of the certificate, a docket will be opened to handle the cancellation request. Please let me know if you have any questions. Thanks.

Paula Isler

Florida Public Service Commission

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