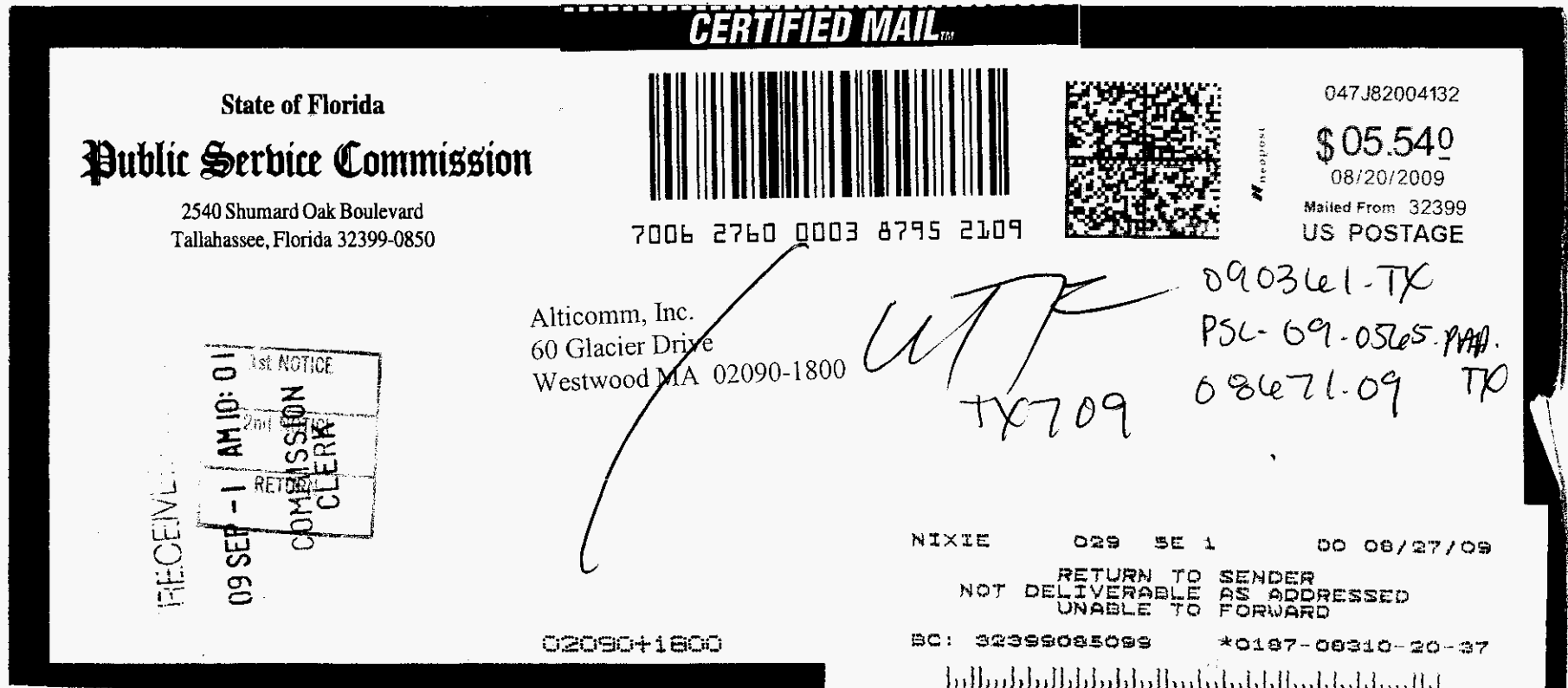


Undeliverable envelope returned from the U.S. Post Office.

Address is consistent with the Master Commission Directory or the Case Management System.



DOCUMENT NUMBER-DATE
09107 SEP-18
FPSC-COMMISSION CLERK

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Alticom, Inc.
60 Glacier Drive
Westwood MA 02090-1800

090361-TX PSC 09 05 US AAA TX

2. Article Number

(Transfer from service label)

7006 2760 0003 8795 2109

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Agent AddresseeB. Received by (*Printed Name*)

C. Date of Delivery

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.4. Restricted Delivery? (*Extra Fee*) Yes

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Compliance investigation of CLEC Certificate No. 8280, issued to Alticomm, Inc., for apparent first-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 090361-TX

In re: Compliance investigation of CLEC Certificate No. 4434, issued to Epicus Communications Group, Inc., for apparent first-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 090362-TX

ORDER NO. PSC-09-0565-PAA-TX

ISSUED: August 20, 2009

NOTICE OF PROPOSED AGENCY ACTION ORDER IMPOSING PENALTIES AND COLLECTION COSTS, AND REQUIRING PAYMENT OF DELINQUENT REGULATORY ASSESSMENT FEES, OR CANCELLING COMPETITIVE LOCAL EXCHANGE COMPANY CERTIFICATES FOR VIOLATION OF RULE 25-4.0161, FLORIDA ADMINISTRATIVE CODE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Pursuant to Rule 25-4.0161(10), Florida Administrative Code, telecommunications companies that fail to pay the Regulatory Assessment Fee, including statutory late payment charges, within 15 days after receiving a delinquent notice, shall be automatically penalized \$500 for a first offense, \$1,000 for a second offense, and \$2,000 for a third offense. The penalty amounts include collection costs. If an entity fails to pay the Regulatory Assessment Fee in full, including statutory late payment charges, along with the penalty amount, that entity's certificate shall be cancelled.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. Pursuant to Section 350.113(4), Florida Statutes, the Regulatory Assessment Fee return forms, for the period of January 1 through December 31, are mailed to entities at least 45 days prior to the date that payment of the fee is due.

DOCUMENT NUMBER-DATE

08671 AUG 20 09

FPSC-COMMISSION CLERK

The Division of Administrative Services advised that the entities listed below failed to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.

<u>ENTITY'S NAME</u>	<u>CO. CODE</u>	<u>DOCKET NO.</u>
Alticomm, Inc.	TX709	090361-TX
Epicus Communications Group, Inc.	TX861	090362-TX

Accordingly, we hereby find it appropriate to cancel each entity's competitive local exchange company (CLEC) certificate for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, unless each entity pays a penalty and cost of collection, together totaling \$500, and remits the past due Regulatory Assessment Fees, along with any accrued statutory late payment charges, to the Florida Public Service Commission.

If this Order is not protested, each entity's respective CLEC certificate shall be cancelled. If an entity pays the penalty and cost of collection, together totaling \$500, and remits any past due Regulatory Assessment Fees, along with any accrued statutory late payment charges, prior to the expiration of the Proposed Agency Action Order, then that entity's respective CLEC certificate will remain active. If an entity fails to protest the Order or pay the penalty and cost of collection, together totaling \$500, and fails to remit any past due Regulatory Assessment Fees, along with any accrued statutory late payment charges, prior to the expiration of the Proposed Agency Action Order, then that entity's CLEC certificate shall be cancelled administratively, and the collection of any past due Regulatory Assessment Fees shall be referred to the Florida Department of Financial Services for further collection efforts.

If an entity's CLEC certificate is cancelled in accordance with this Commission's Order, that company shall immediately cease and desist providing competitive local exchange service in Florida. Each entity's docket shall be closed administratively either upon receipt of the payment of the penalty and cost of collection, together totaling \$500, and any past due Regulatory Assessment Fees, along with any accrued statutory late payment charges from each entity, or upon cancellation of that entity's CLEC certificate. If an entity's CLEC certificate is cancelled in accordance with this Order and it subsequently decides to reapply for a certificate as a telecommunications company, that entity shall be required to first pay the penalty and cost of collection, together totaling \$500 and any outstanding fees, including accrued statutory late payment charges. We are vested with jurisdiction over these matters pursuant to Sections 350.113, 364.285, 364.336, and 364.337, Florida Statutes.