

# REQUEST TO ESTABLISH DOCKET

(Please type or print. File original *plus* 1 copy with CLK.)

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<b>Date:</b>	4/13/2012	<b>Docket No.:</b>	120136-TS
<b>1. From Division / Staff:</b>	Rad/ J. Polk,		
<b>2. OPR:</b>	J Polk, T Earnhart		
<b>3. OCR:</b>	GCO		
<b>4. Suggested Docket Title:</b>	Compliance investigation of STS certificate No. 8631 issued to Biopass Medical Systems, Incorporated d/b/a DSL Express for apparent first-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies		
<b>5. Program/Module/Submodule Assignment:</b>	A18a, A10		
<b>6. Suggested Docket Mail List.</b>			
<b>a. Provide NAMES/ACRONYMS, if registered company.</b>		<input type="checkbox"/> Provided as an Attachment	
<b>Company Code, if applicable:</b>	<b>Parties (include address, if different from MCD):</b>	<b>Representatives (name and address):</b>	
TS210			
<b>b. Provide COMPLETE NAME AND ADDRESS for all others. (match representatives to companies)</b>			
<b>Company Code, if applicable:</b>	<b>Interested persons, if any, (include address, if different from MCD):</b>	<b>Representatives (name and address):</b>	
<b>7. Check one:</b>	<input checked="" type="checkbox"/> Supporting Documentation Attached		<input type="checkbox"/> To be provided with Recommendation

**Comments:**

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COMMISSIONERS:  
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LISA POLAK EDGAR  
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EDUARDO E. BALBIS  
Julie I. Brown

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL  
S. CURTIS KISER  
GENERAL COUNSEL  
(850) 413-6199

# Public Service Commission

August 22, 2011

TS210-11-0-D  
DSL Express  
7401 Wiles Road, Suite 121  
Coral Springs, FL 33067-2038

Dear Certificate/Registration Holder:

The purpose of this letter is to inform you that the Commission has not received the 2011 Regulatory Assessment Fee (RAF) return and payment. As required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code (F.A.C.), you were mailed a RAF return form on December 15, 2011, and payment was due on January 30, 2012.

Because you are delinquent in payment, in addition to the RAF, which is 0.0016 of a company's intrastate revenues or a minimum fee of \$600, whichever is greater, the company must now pay late payment charges. The late payment charges, consisting of interest and penalty, are outlined on the reverse side of the RAF return form. If you have misplaced or require a copy of the 2011 RAF return form, please contact David Brown or Valorie Moore at the numbers listed below or via e-mail.

**If payment is not postmarked within 15 calendar days of receipt of this notice, as evidenced by the certified mail receipt, Rule 25-4.0161, F.A.C., automatically imposes a penalty of \$500, \$1,000, or \$2,000,** in addition to the interest and penalty listed in the preceding paragraph. The penalty is based on the number of prior dockets against a company for violation of the RAF rule. For example, if a company has no prior dockets and fails to pay in accordance with this notice, it automatically will be assessed a \$500 penalty. For one prior docket, it automatically will be assessed a \$1,000 penalty and for two, a \$2,000 penalty. For a third docket, staff will submit a recommendation to the Commission seeking cancellation of the company's certificate or cancellation of its tariff and removal from the register.

Therefore, it is very important that you pay the 2011 Regulatory Assessment Fee plus late payment charges immediately. If you have any questions, please contact David Brown at (850) 413-6267 or Valorie Moore at (850) 413-6275 or via e-mail at [dbrown@psc.state.fl.us](mailto:dbrown@psc.state.fl.us) or [vmoore@psc.state.fl.us](mailto:vmoore@psc.state.fl.us).

Sincerely,

Handwritten signature of S. Curtis Kiser in black ink.

S. Curtis Kiser  
Office of the General Counsel

cc: Fiscal Services Section

DOCUMENT NUMBER - DATE

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