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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Compliance investigation of local exchange Certificate No. 5722, issued to Ernest Communications, Inc., for apparent first-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 140099-TX

In re: Compliance investigation of local exchange Certificate No. 8751, issued to TelOps International, Inc., d/b/a AmTel, for apparent first-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 140100-TX

In re: Compliance investigation of local exchange Certificate No. 8795, issued to IBC Telecom Corp., for apparent first-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 140101-TX
ORDER NO. PSC-14-0246-PAA-TX
ISSUED: May 21, 2014

NOTICE OF PROPOSED AGENCY ACTION ORDER IMPOSING PENALTIES AND COLLECTION COSTS, AND REQUIRING PAYMENT OF DELINQUENT REGULATORY ASSESSMENT FEES, OR CANCELLING COMPETITIVE LOCAL EXCHANGE CARRIER 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 (F.A.C.).

Pursuant to Rule 25-4.0161(12), F.A.C., telecommunications companies that fail to pay the Regulatory Assessment Fee (RAF), 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 RAF in full, including any statutory late payment charges, along with the penalty amount, that entity's local exchange certificate shall be cancelled.

Pursuant to Section 364.336, Florida Statutes (F.S.), certificate holders must pay a minimum annual RAF if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161(3), F.A.C., the appropriate RAF return form and applicable fees are due to the Florida Public Service Commission by January 30th of the subsequent year. Pursuant to Section 350.113(4), F.S., the RAF 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.

The Division of Administrative and Information Technology Services advised that the entities listed below failed to comply with Section 364.336, F.S., and Rule 25-4.0161, F.A.C. The entities in the below table have not paid the 2013 RAF, statutory late payment charges, nor the \$500 penalty and collection costs.

<u>ENTITY'S NAME</u>	<u>CO. CODE</u>	<u>DOCKET NO.</u>
Ernest Communications, Inc.	TX244	140099-TX
TelOps International, Inc. d/b/a AmTel	TX988	140100-TX
IBC Telecom Corp.	TY029	140101-TX

Accordingly, we hereby find it appropriate to cancel each entity's local exchange certificate for failure to comply with Section 364.336, F.S., and Rule 25-4.0161, F.A.C., unless each entity pays a penalty and cost of collection, together totaling \$500, and remits any past due RAF, along with accrued statutory late payment charges, to the Florida Public Service Commission, prior to issuing a Consummating Order for this Proposed Agency Action Order (Order).

We are vested with jurisdiction over these matters pursuant to Sections 350.113, 364.336, and 364.285, F.S.

If this Order is not protested by an entity, that entity's respective certificate shall be cancelled. If an entity pays the penalty and cost of collection, together totaling \$500, and remits any past due RAF, along with any accrued statutory late payment charges, prior to issuing a Consummating Order for this Proposed Agency Action Order, then that entity's respective 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 RAF, along with any accrued statutory late payment charges, prior to issuing a Consummating Order for this Proposed Agency Action Order, then that entity's certificate shall be cancelled administratively, and the collection of any past due RAF shall be referred to the Florida Department of Financial Services for further collection efforts.

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:

IBC Telecom Corp.
873 Route 45, Suite 202B
New City, NY 10956-1146

140101TX / PSC-14-0246-PAA-TX

2. Article Number
(Transfer from service label)

7006 2760 0003 8795 1881

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? Yes
If 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

Domestic Return Receipt

102595-02-M-1540